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THE ESTABLISHMENT OF A UNITED NATIONS
STANDING MULTINATIONAL MARITIME
FORCE - A DREAM?

by

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This thesis proposes that a UN Standing Multinational Maritime Force can be an important contributor to international security. Establishing a UN Standing Multinational Maritime Force raises a central question: is it possible to establish a UN standing multinational maritime force? What are the problems and constraints of such force in the UN context?

The point of this thesis is that there is a dilemma between realities and ideals, so that the establishment of a UN Standing Multinational Maritime Force seems to be a dream foreseeable only in the distant future. This thesis highlights the political constraints and problems that complicate the creation of a standing multinational maritime force in terms of UN naval missions and supporting tasks. Consequently, this thesis attempts to demonstrate that to establish a standing multinational maritime force within the UN organization is impossible unless these constraints and problems are solved.

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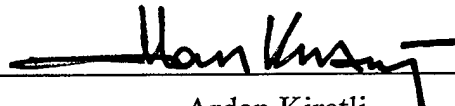Submitted in partial fulfillment
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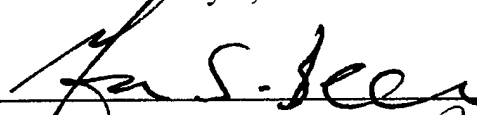
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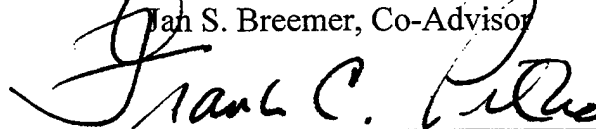
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ABSTRACT

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EXECUTIVE SUMMARY

During the last decade, there has been a remarkable increase in attention paid to multinational military forces. The idea of UN standing multinational maritime forces has emerged as a potentially important contributor to international peace, order and security. The assignment of national contingents to such a force on a standing basis seems desirable, but so far there has been no international consensus on the establishment such as this force.

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In terms of the collective maritime security, creation of a conceptual basis has vital importance for the creation of a UN standing multinational maritime force. It is impossible to establish such a standing maritime force before defining its possible missions and the limitations of these missions. In the second chapter, this thesis focuses on the possible UN maritime missions, multinational maritime force structures, management choices for multinational maritime forces and necessity of UN standing maritime force and its benefits. The opinions expressed in this chapter are not necessarily official and may not be the best but they help us imagine the dimensions of UN maritime operations in which a standing multinational maritime force will fulfill its missions.

The establishment of a UN standing maritime force faces these main political problems which have been driven from the conflict between civilizations, the notion of nation-state, major power interests, differences in the use of force perceptions and NATO expansion. These roots of the existing political problems still continue and as a result of these situation, political support - and consequently political consensus - for collective security cited in the UN Charter has never been concluded. Notwithstanding the Western countries display their willingness for international maritime cooperation, a continuous and sufficient framework accepted by the world community has not been formed because of the absence of the political consensus.

The world is now living in a period of history that can be defined as a transition to a new world order. There are new players, new capabilities, new alignments, and new threats, but so far, no new rules. Consequently, the situation of uncertainty affects the international affairs. Under this conditions, the solution of existing political problems would not be achieved in the foreseeable future. As a historical evident, the creation of such a force within the UN organization seem to be impossible unless these problems are solved. As a result of this picture, the establishment of a UN standing maritime force seems to be a dream foreseeable only in the distant future.

This thesis states that the solution of existing political problems will not be achieved in the foreseeable future, but they are not unsolvable. Most of them are time-dependant problems, such as the conflict between civilizations, and differences in the concept of the use of force. Most likely, these problems will be automatically solved in the course of time.

Indeed, it is implausible to wait for the solutions. The world community must do something rather than waiting until the humankind has suffered. In order to reduce the amount of unpleasant events or suffering conflicts, the solutions of problems may be quickened by the international or regional organizations, and major powers.

The previous analysis of the possible UN maritime missions and multinational maritime force structures, and political problems that complicate the creation of a UN standing maritime force lead to nine recommendations. They present choices for decision makers regarding future UN activities in the maritime domain.

I. INTRODUCTION

A. OVERVIEW

During the last decade, there has been a remarkable increase in attention paid to multinational military forces because of more frequent demands for the services of the United Nations (UN). In just six years, 1988-1993, the United Nations created eighteen new peacekeeping operations, compared with a total of thirteen in its first forty-three years. Five peacekeeping operations were established during 1988 and 1989 alone, and, in 1991 and 1992, the UN Security Council created another nine operations. In October 1993, there were seventeen active UN missions, compared to only five in 1987.[1] Sixteen remained active in the summer of 1996.[2] It is quite clear that the United Nations has and will probably continue to have an increasing role in security issues.

As it is well known, collective security requires an organized, multi functional, and multinational response, including military forces and their usage, from the international community. Consequently, it is possible to say that if the UN is to become the effective mechanism for enhancing international security, the organization must be able to deploy military forces whenever and wherever they are required. In this sense, the increasing role of the UN in international security has shifted the focus of attention to a specific and complex problem. The problem is which kind of forces should be used, by whom and in what circumstances.

Despite the renewed interest in the United Nations, very little international attention has been devoted to UN naval cooperation issues. Most of the current proposals for multinational forces, in fact, exclude consideration of naval forces, except perhaps the need · for sealift. Yet, most of the UN operations recently authorized have had naval components

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[1]   Janet E. Heininger, *Peacekeeping in Transition: The United States in Cambodia*, New York: The Twentieth Century Fund Press, 1994, p. 3

[2]   "Peace Operations and Humanitarian Support," in *Strategic Assessment 1996*, Washington, DC: National Defense University Press, 1996. p. 132, 133.

of some kind. Furthermore, the areas in which expansion of UN involvement is possible, such as international enforcement of UN agreements (for example, the third UN Convention on the Law of the Sea (UNCLOS III)), may be particularly suited for a maritime context. Hence, it is important to consider the role of the United Nations in facilitating, sponsoring, coordinating, or executing multinational cooperation on the seas.[3]

In addition to the traditional maritime peacekeeping and enforcement operations, other areas of maritime activities are increasingly important, and the UN may be the appropriate institutional mechanism for naval cooperation to treat problems in a timely and consistent manner. Such problem areas include piracy, terrorism, and drug smuggling, ecological operations involving maritime oil production and shipping, pollution from both fresh water sources and ocean dumping, fisheries disputes, and the monitoring of ocean temperature, salinity, acidity, and carbon dioxide content. A properly established and equipped UN maritime force may be the solution to cope with such issues. More generally, many nations recognize the importance of common maritime security embracing environmental, social and economic factors as well as the more traditional naval elements.[4] The United Nations has some notable advantages over regional organizations in tackling security problems: it is universal; it has a reputation, even if is now under threat, for impartiality; and it has a clearer set of arrangements for making decisions on security issues than do most regional organizations, including even the North Atlantic Treaty Organization (NATO).[5] It does not mean that the United Nations has an appropriate mechanism in order to fulfill its responsibilities, but its Charter includes arrangements and procedures for decision-making and creating a compatible and divergent mechanism.

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[3] Jeffrey I. Sands, *Blue Hulls: Multinational Naval Cooperation and the United Nations*, Alexandria, VI: Center For Naval Analyses, CRM 93-40/July 1993, p. 1

[4] Robert S. Staley II, *The Wave of Future, The United Nations and Naval Peacekeeping*, Boulder, CO: Lynne Reinner Publishers, Inc. 1992, pp. 19,20.

[5] Adam Roberts, "The United Nations and International Security," London: *Survival* vol. 35, no. 2, Summer 1993, p. 7.

In order to promote and support international peace, order and stability, the idea of UN Standing Multinational Military Forces has emerged as an important possible contributor to these aims. Its advocates, for example Sir Brian Urquhart point out that the response from governments to the Charter idea of rapid deployment standby units has so far been at best non-committal, and that present signs are not encouraging.[6] He has long advocated the establishment of a small, standing, highly-trained volunteer rapid response group as part of the UN itself to fulfil an evident increased need for a flexible, rapid response capability, reliably and immediately available for UN service.[7]

More recently, Gwyn Prins, Director of Cambridge University's Global Security Program, has advocated the creation of a United Nations Standing Naval Force. Prins recognizes the need for the development of concomitant United Nations command and control systems and procedures, and specifically calls for the development of United Nations Standard Operating Procedures (UNSOPs). In addition, the Standing Naval Force he envisions would be augmented by nations and alliances during periods of international emergency.[8]

The idea of a UN Standing Multinational Maritime Force is still new a phenomenon and has vital importance. The assignment of national contingents on a standing basis seems a viable option, but so far there has been no international consensus on the establishment of such this force.

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[6]   Brian Urquhart, currently Scholar-in-Residence in the International Affairs Program at the Ford Foundation, was one of the first United Nations civil servants, and served in the United Nations Secretariat from 1945 until his retirement in 1986. He worked closely with all five Secretaries-General on peace and security matters, especially peacekeeping, and was Under Secretary-General for Special Political Affairs from 1974 to 1986.

[7]   David Ramsbotham, "The Changing Nature of Intervention - The Role of UN Peacekeeping," London: *Conflict Studies* #282, August 1995, p. 14.

[8]   Staley, p. 30.

B.   PURPOSE

This thesis argues that a UN Standing Maritime Force (UNSTANMARFOR) can be an important contributor to international security. The creation of a UNSTANMARFOR begs a central question: is it possible to establish a UNSTANMARFOR in the foreseeable future? What are the problems and constraints of such force in the UN context?

The point of this thesis is that there is a dilemma between realities and ideals, so that the establishment of a UNSTANMARFOR seems to be a dream foreseeable only in the distant future. This thesis highlights the political constraints or problems that the creation of a standing multinational maritime force in terms of UN naval missions and supporting tasks. Consequently, this thesis attempts to demonstrate that to establish a standing multinational maritime force within the UN organization is impossible unless these constraints and problems are solved.

C.   DEFINITIONS AND ASSUMPTIONS

It is important to clarify some terms and assumptions used in this thesis. The definitions that follow are not necessary official, but are the ones that best delineate the issue. The opinions expressed are those of the author alone and do not necessarily reflect the position of the Turkish Navy or the Ministry of National Defense of Turkish Republic.

Quite simply, the UN exists to enhance international security. Its Charter is the source of its authority in meeting this responsibility; the Charter is oriented wholly to maintaining or restoring international security or to removing the root causes of instability. The UN itself is neither an independent international entity nor a supranational authority, but a collection of sovereign states that have vested the organization with their authority. Their instrument for doing so is the Charter, which is both a treaty and a constitution that guides, and in some cases, compels the actions of the member states and the United Nations itself.[9] This thesis assumes that the members of the UN all acknowledge and accept the UN Charter.

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[9]   John N. Petrie, "Myths and Misconceptions about the United Nations," Newport: *Naval War College Review*, vol. XLIX, no. 1, Sequence 353, Winter 1996, pp. 75,76.

An Agenda for Peace recognizes that the sovereign state is still the fundamental unit in the international system.[10] In addition to this recognition, this thesis assumes that the major powers, including the permanent members of the UN Security Council, naturally play a great role or have a great influence in the decision making process within the UN and international affairs in general. At this point, it is necessary to clarify what is meant by the "major powers". *Major Powers* are sovereign states which are able, individually or by virtue of their strategic positions in powerful international or regional organizations, to affect international political outcomes regularly and substantially.[11]

In order to maintain international peace and security, the Purposes and Principles of the UN appear as Articles 1 and 2 in its Charter. In brief, the Purposes are: maintenance of peace and security, including the prevention and removal of threats, suppression of acts of aggression, adjustment or settlement of international disputes, strengthening universal peace, and furthering international cooperation. The Principles call for sovereign equality, fulfilling the obligations of membership, peaceful settlement of international disputes, refraining from the threat or use of force against the territorial integrity and political independence of states, cooperation with UN efforts for prevention and enforcement, the responsibility even of non-members not to threaten the peace, and avoiding interference in the domestic matters of member states except when international peace and security are threatened or breached.[12]

In this sense, this thesis assumes that the term 'collective security' refers to a system in which each state in the system agrees that the protection and application of the Purposes and Principles of the UN is the concern of all and agrees to join in a collective response to any who denies or deviates from these purposes and principles. Collective security rests on

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[10]   Boutros B. Ghali, *An Agenda for Peace*, New York: United Nations Publication, 1995.

[11]   The core idea of the definition of 'major power' is inspired from the definition of 'elites' defined by Richard Gunther in *Elites and Democratic Consolidation in Latin America and Southern Europe*, London, UK: Cambridge University Press, 1992, p. 9.

[12]   Petrie, p. 75.

the assumption of all against one; it is a set of commitments and institutions that ensures that aggression by any state will automatically be met with the combined power of the rest of the world to repulse that aggression and restore the status quo ante. Without doubt, such a collective security requires, above all, that the major powers agree on a status quo.

The original intention of the United Nations was to maintain or restore international peace, if necessary through demonstrations, blockades, and other operations by air, sea, or land forces.[13] Article 1 of the Charter has it that the first purpose of the UN is the maintenance of international peace and security. There are concrete measures set out in the Charter to ensure this, both in Chapter VI, which talks about the 'pacific settlement of disputes'-finding solutions by negotiation, conciliation, mediation, and other peaceful means- and in Chapter VII, which provides for enforcement measures in case of threats to international peace and security. But 'peacekeeping' is not mentioned in either chapter.[14] In this thesis, it is assumed that the use of force can be applied only under the Chapter VII of the UN Charter. Consequently, traditional peacekeeping operations will not involve the possible UN naval missions mentioned in the second chapter of this thesis. In Chapter II, traditional peacekeeping and peace enforcement operations have been interpreted a suppressive peace operation as a combined form of them.

Multinational military, including naval forces may be organized for a collective purpose according to three different schemes: ad hoc, on-call, and standing forces. The differences between the three are explained later in this thesis.

One can conclude that the views delineated in this thesis are very optimistic. On this issue, one must think simply and plainly. We are living in this world and have no chance to escape from this environment. There is no another world. There are important security problems to be solved. There is nobody to solve those problems except us. In order to enhance international peace and stability, the UN was established and is maintained it for this

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[13]   Michael C. Pugh, "Multinational Naval Operation," *Proceedings*, March 1994, p. 72.

[14]   Shashi Tharoor, "Peace-Keeping: Principles, Problems, Prospects," *Naval War College Review*, vol. XLVII, no. 2, Sequence 346, Spring 1994, p. 10.

purpose. In this respect, the nations of the world must support and develop the UN and its institutions.

II. POSSIBLE UN MARITIME MISSIONS AND MULTINATIONAL MARITIME FORCE STRUCTURES

A. OVERVIEW

The end of the Cold War has offered the world an opportunity for more effective cooperation to prevent or halt deadly conflicts, and to promote economic and social welfare. In our world, 70 percent of which is covered by the sea, the necessity of multinational maritime cooperation has been noticed since before the end of the Cold War. For example, the following extracts from a UN study are a clear sign of the need for multinational maritime cooperation.

> With greater interest in the exploitation of marine resources and the introduction of the exclusive economic zone, the number of offshore and other commercial activities will continue to increase ... [and] the growing complexity of offshore activities will call for much improved national and international management arrangements if marine resources are to be exploited in a rational and orderly manner to the benefit of mankind. ... New resources, new developments, new responsibilities - all will demand more coordinated maritime policies, administrative machinery, and policing capabilities.

> Within this growing range of activities, there is much that appropriately equipped naval vessels could do. There are also many ways in which the greater experience and capacities of the maritime powers that a present have worldwide and blue-water navies could assist coastal states, if so requested and without interfering in their affairs, in dealing with this entirely new range of problems.

This UN study was commissioned by the UN General Assembly at the initiative of Sweden in 1985.[15]

With the end of the Cold War, earlier in December 1991, a conference called "Multinational Naval Cooperation in a Changing World" was held at the Royal Naval

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[15] Derek Boothby, "*Sailing Under New Colors*," Proceedings, Naval Institute Press, vol. 118/7/1073, July 1992, p. 50.

College at Greenwich, London. It was attended by about 80 senior and middle-level naval officers, politicians, and academics - mostly from industrialized countries. All the major maritime states except China were represented.[16] All these developments show that the Western powers are ready to at least contemplate cooperation in maritime activities seriously.

In addition to the international peace and security requirements, the impact of increasingly intensive use of the seas, pressures on the ecological balance, and humanitarian issues has compelled and still compels the nations to cooperate with each other, and collectively, regulate and govern the maritime activities.

In the wider world, the United Nations is now assuming a higher profile. The change in superpower relations has allowed for the United Nations to become increasingly active in international and interregional issues. The potential emergence of a multinational security mechanism in the UN Security Council may raise the expectations that the UN may become an appropriate institutional mechanism for the maritime cooperation to treat possible problems in a timely and consistent manner.

On the other hand, according to Ginifer, an adequate conceptual basis has yet to be established for United Nations maritime peace and security initiatives. He goes on to explain that there is a need for a rigorous conceptual framework appropriate to the changing context of the post-Cold War world. Moves within the UN towards a more 'interventionist' approach suggest an increased role for naval forces, since they have the capacity to circumvent issues of sovereignty and consent as well as to project force. However, unless a coherent naval conceptual framework is articulated, the UN will not be in a position to effectively manage naval peace and security issues.[17]

Analysts such as Peter Haydon have argued the similar conclusion that the requirement is for the introduction of a doctrinal and procedural framework for multinational naval

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[16]   Ibid., p. 48.

[17]   Jeremy Ginifer, "A Conceptual Framework for UN Naval Operations," in *Maritime Security and Peacekeeping* by Michael Pugh, New York: Manchester University Press, 1994, p. 55.

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operations that can form the point of departure when planning such operations outside the NATO/WEU system.[18]

In terms of the collective maritime security, creation of a conceptual basis has vital importance for the creation of a UN standing multinational maritime force. It is impossible to establish such a standing maritime force before defining its possible missions and the limitations of these missions. This chapter focuses on the possible UN maritime missions and multinational maritime force structures. The opinions expressed below are not necessarily official and may not be the best but they help to imagine the dimension of UN maritime operations in which standing multinational maritime force will fulfill its missions.

B. POSSIBLE UN NAVAL MISSIONS AND SUPPORTING TASKS

1. Peace and Security Operations

The types of operations described below are established by the UN Security Council under the UN Charter Chapter VI and VII, and directed by the Secretary-General. The use of force or the non-use of force and the force size if it is to be used, depend on Security Council decisions according to its evaluation of existing conflict or of potential conflict. If the Security Council has some hesitations about the fulfillment of Chapter VI, it may make its decisions under Chapter VII. In this sense, the force structure and the dimension and limitations of any peace and security operation are defined by the Security Council but not with the consent of disputing parties. Undoubtedly, the consent of disputing parties plays a great role on the Security Council decision, but it is not sufficient.

a. Preventive Operation

A preventive operation is a military activity drawn from 'preventive diplomacy' and 'peace-building'. In this sense, a preventive operation may be applied as a pre-conflict or post-conflict military measure. Preventive Diplomacy is an act to prevent disputes from

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[18] Peter T. Haydon, Ann L. Griffiths, *Multinational Naval Forces*, Halifax, Nova Scotia, Canada: Dalhousie University Center for Foreign Policy Studies Press, 1995, p. 30.

developing between parties, prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur.[19]

Peace-building is critical in the aftermath of conflict. Peace-building includes the identification and support of measures and structures which will promote peace and build trust and interaction among former enemies, in order to avoid relapse into conflict[20]

An Agenda for Peace points out that the most desirable and efficient employment of diplomacy is to ease tensions before they result in conflict - or, if conflict breaks out, to act swiftly to contain it and resolve its underlying causes. Preventive diplomacy requires measures to create confidence. It needs early warning based on information gathering and informal or formal fact-finding. It may also involve preventive deployment and, in some situations, demilitarized zones.[21]

The purpose of preventive operations is to show an action to deter hostilities, rather than wait until after armed conflict occurs. Preventive operations send two clear messages to the sovereign states. First, that international disputes or internal conflicts of any nation, which threaten to international peace and security, are observed by the UN. Second, that the UN will not allow any disputing party to deny the UN Charter Chapter VI in order to solve the conflict.

Preventive Operations include following missions:

(1) Preventive Deployment. The purpose of preventive deployment is to send the forces to an area to deter hostilities, rather than waiting until after armed conflict between states or an internal conflict in a state occurs.[22] If applied to naval forces, forward

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[19] *United Nations Military Observers Handbook*, New York, NY: United Nations Department of Peacekeeping Operations Publication, 1995, p. 5.

[20] Ibid., p. 5.

[21] Ghali, p. 47.

[22] In fact, this mission was drawn, in part, from "Basic Facts About the United Nations" as a United Nations Department of Public Information Publication, New York, NY: 1995, p. 29.

deployment to gather information through surveillance and other techniques might be regarded as a useful approach, not only in responding to traditional military threats to international peace and security, but also with respect to population migrations and environmental damage through accidents and natural disasters.[23]

The presence of UN naval forces can avert confrontation and support UN aims without necessarily violating national sovereignty. UN diplomatic efforts can be strengthened by naval forces 'showing the flag' in a benign fashion as a general indicator of UN interest and latent capabilities, thereby helping to stop emerging conflicts among states.[24]

In this respect, the forward deployment of a UN maritime force may project a diplomatic signal in terms of the fulfillment of Chapter VI. In order to minimize the possibility of the use of force, UN naval presence may be the best way to contribute to the enhancing international peace and security.

(2) Establishment of Demilitarized Zones. The purpose of the establishment of a demilitarized zone is to define geographic areas at sea in where some form of arms limitation or reduction are determined by the Security Council. In this mission, maritime force's role is to observe and control this area.

The concept of a maritime demilitarized zone established in advance of a conflict, rather than following it, is a confidence-and-security building measure that might be advanced.[25]

b.   Suppressive Peace Operations

A suppressive peace operation combines traditional peacekeeping and peace enforcement. The purpose of this operation is to maintain or restore international peace and security by the use of force. In order to achieve this end, the main objective of the operation is to persuade aggressor states to stop their violations.

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[23]   Ginifer, p 63,64.

[24]   Sands, p. 21.

[25]   Ginifer, p. 64.

The objectives of peace operations generally include neither victory, in the ordinary sense of defeating a defined enemy militarily, nor the identification of an enemy. The equivalent of victory is successful implementation of a mandate-maintaining the political-military status quo, for example, or facilitating implementation of a peace accord. The latter mission may entail the temporary maintenance of civic order.[26]

In this mission, the tasks for the UN naval force may include:

(1) Supporting Land-Based Operations. The purpose of the supporting land-based operation is to provide sealift, command, control, communication and intelligence, medical and evacuation facilities to a UN land-based military forces.

Naval forces can provide sealift to UN land-based operations in terms of personnel and equipment. Naval forces can also provide seaborne Command, Control, Communications, Computers, and Intelligence (C4I) to land-based operations, and integral search and rescue and reserve capability.[27]

Although sealift was superseded by airlift for the small peacekeeping operations during the Cold War, large-scale operations on land are more likely to require logistic support by sea which might be need to be guarded by naval units. In addition, whatever the size of the operation, offshore helicopter support, and medical and evacuation facilities may prove vital.[28]

(2) Peace Enforcement. Peace enforcement operations are a form of suppressive peace operations including no limitations on the use of force. Peace-enforcement may be needed when all other efforts fail. The authority for enforcement is provided by Chapter VII of the Charter, and includes the use of armed force to maintain or restore

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[26] Antonia Chayes, George Raach, *Peace Operations: Developing an American Strategy*, Washington, DC: National Defense University Press, 1995, p. 24.

[27] Sands, p.14.

[28] Michael Pugh, *Maritime Security and Peacekeeping*, New York: Manchester University Press, 1994, p. 42.

international peace and security in situations in which the Security Council has determined the existence of a threat to the peace, breach of the peace or act of aggression.[29]

Within the remit of enforcement actions naval forces are capable of independent force projection, ranging from tactical shore bombardment to strategic strikes against land assets. During the Persian Gulf War, SLCMs and other forms of precision-guided munitions delivered by carrier-borne aircraft and naval vessels inflicted significant damage to the infrastructure of Iraq.[30]

Naval forces may have a comparative advantage over land-based forces for UN-sponsored retaliatory strikes by aircraft or cruise missiles, since there would be a need for nearby land bases, occasionally requiring overflights or other violations of national sovereignty. On the other hand, when UN takes such action, sovereignty may less likely be a problem.[31]

In this mission, the naval force's tasks are defined in accordance with Security Council resolutions related to the intervened conflict. In order to enforce such resolutions, naval tasks may include strike operations, local sea and air control, blockade and several combat operations. For example, the first task assigned the naval forces during the Gulf War (by Resolution 661/90) was to enforce economic sanctions imposed on Iraq by the Security Council. The participating navies operated collectively as a Maritime Interception Force (MIF). The MIF was a multinational maritime force organized to intercept prohibited cargo on shipping bound for or leaving Iraqi and Kuwaiti ports.[32]

When the military action began, the tasks of the international naval force increased. The Gulf Cooperation Council navies focused on patrolling their coastal waters

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[29] *United Nations Military Observers Handbook*, p. 5.

[30] Ginifer, p. 70.

[31] Sands, p. 23.

[32] Juan Carlos Neves, "Interoperability in Multinational Coalitions: Lessons from the Persian Gulf War," *Naval War College Review*, vol. XLVIII, no. 1, Sequence 349, Winter 1995, p. 51.

and protecting facilities near the shore from sea attacks. Surface combatants from Kuwait, Saudi Arabia, the UK, and the US joined in offensive anti-surface operations. Warships from Argentina, Australia, Canada, Denmark, France, Italy, the Netherlands, Norway, and Spain provided protection to combat logistics forces.[33]

2. Non-Military Missions

If one looks at post-Cold War security interests through a UN window, the view includes the general and broad goals, values, and principles which are the essence of civil and cooperative international society. It embraces the rule of law, nonaggression and the pacific settlement of disputes, respect for sovereignty, defense of rights and respect for humanitarian principles, control of arsenals, curbs on proliferation, and, in general, a disciplined, cooperative approach to common security and common prosperity. Consequently, the world community faces multiple responsibilities: humanitarian assistance, economic guidance and support, help for democratic institution-building, and aid in guaranteeing the security of nuclear weapons as well as ensuring the secure elimination of larger numbers of them.[34]

Currently, low-intensity operations designed to protect maritime safety and manage ocean resources are perhaps the most acceptable to states for joint naval/coast guard forces. A whole range of ocean resource management and law-and-order problems are often beyond the jurisdiction or competence of individual states: mine clearing, disaster relief, marine pollution, transport and disposal of hazardous waste, interception of smuggling (whether animals, artifacts, or drugs), piracy (which has become particularly prevalent in the waters of Southeast Asia), and terrorism.[35]

Non-military missions are drawn from the UN's responsibilities, such as humanitarian, economic and social, and legal issues. Any non-military mission can be applied at the request

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[33] Ibid., p. 51.

[34] Thomas Pickering, "The UN Contribution to Future International Security," *Naval War College Review*, vol. XLVI, no. 1, Sequence 341, pp. 94-95.

[35] Pugh, p. 74.

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or with the consent of the host nation, or as a collective measure against non-governmental group's activities such as terrorism, piracy, and narcotic trade. With the approval of the Security Council, military assets may be used in non-military missions proposed by the principal organs of the UN, for example, General Assembly and its main committees, Economic and Social Council, Trusteeship Council, and International Court of Justice. In non-military missions, the use of force can be applied under Chapter VII, Articles 39, 40, and 41.

a. Humanitarian Assistance

Improving the speed and effectiveness of international humanitarian assistance and strengthening international capacities to prevent and cope with emergency situations are among the main responsibilities of the UN. Effective international assistance in response to major humanitarian emergencies requires planning, coordination, logistics, diplomacy and fund-raising. The UN plays a major role in all these fields, coordinated through the Department of Humanitarian Affairs (DHA). The Under-Secretary-General for Humanitarian Affairs, who also serves as UN Emergency Relief Coordinator, is the UN system's principal policy advisor, coordinator and advocate on issues pertaining to humanitarian emergencies.[36]

Maritime forces are well suited to support humanitarian aid efforts to relieve or reduce the suffering, loss of life, and damage to property caused by natural or man-made disasters. In particular, military forces are useful to provide a secure environment to allow the humanitarian relief efforts of other organizations to progress as directed by cognizant legal authority. Short notice readiness, flexibility and mobility allow maritime forces to respond quickly to a disaster. Maritime forces may provide personnel, equipment, supplies, medical and dental care, security, limited construction and engineering, communication and transportation support.[37]

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[36] *Basic Fact about the United Nations*, p. 217.

[37] *Multinational Maritime Operations*, Department of the Navy, Naval Doctrine Command Publication, Norfolk, VA: 1995, p. 2-3/7

With the approval of the Security Council, naval forces can be assigned for humanitarian assistance missions, if the Secretary-General or Under-Secretary-General for DHA request military assets. Humanitarian Assistance missions may include the following:

- Providing transportation humanitarian and relief personnel, and providing resupply for field personnel ashore.

- Providing medical treatment and care, engineering equipment and other civilian welfare support.

- Evacuation of Non-Combatants and Refugees.

- Conducting search and rescue for refugees and UN field personnel in distress on land or at sea.

- Monitoring refugee flows and provide humanitarian assistance at sea.

b. Economic and Social, Law and Order Missions

When nations make claims over waters that are contested, challenges to freedom of navigation may arise. In such instances maritime forces can exercise freedom of navigation by traversing or exercising in the contested waters, in accordance with recognized international law. They may also protect merchant shipping that could otherwise be threatened.[38]

With the reemergence of piracy in littoral waters, terrorism on the high seas, and the drawdown of national naval forces, multinational naval presence and crisis response for the protection of economic resources and trade may become more important. This is true especially in the world's main navigational strait and passages, which are also its major trade routes. At times, multinational cooperation in this traditional naval mission area may include surveillance, mines weeping, and convoy and escort operations.[39]

The development of international maritime law, especially the Third UN Convention of the Law of Sea (UNCLOS III), has established a legal environment in which the UN could take on a variety of new low-intensity policing functions in support of international agreements. This is especially important in areas of international straits because

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[38] *Multinational Maritime Operations*, p. 2-4/7.

[39] Sands, p. 18.

attempts to police straits could lead to disputes, perhaps even conflicts. For many nations, this mission area could involve coast guards as well as civilian maritime agencies.[40]

The prevention of global or major power conflict involving the use of weapons of mass destruction depends on the maintenance, strengthening and extension of the pattern of treaties, conventions and agreements which began with the Geneva protocol. In the nuclear field the 1995 review of the Non-Proliferation Treaty (NPT) and negotiations towards a Comprehensive Test Ban Treaty (CTBT) illustrate clearly the issues where perceived national interest and ideals of international security are difficult to reconcile.[41]

The extension of arms control arrangements to new categories of weapons-chemical and biological weapons-and the relatively cheap technology needed to produce them should be on the international agenda. The reinforcement of the UN Register of Conventional Arms which came into operation in 1993 is, the obvious priority for the purposes of peacekeeping. Defensive mechanisms against them are expensive, and yet another burden on contributing nations; military action to destroy or counter them will draw the UN nearer to being regarded as a protagonist by whichever country possesses them.[42]

The proliferation of conventional, and especially high technology, weapons is an increasing threat to international security. The UN General Assembly has therefore established a voluntary registry for arms production and transfers to provide greater transparency which, it is hoped, can exert some moderating influence through mutual self-restraint by the principal supplier countries. This is an area warranting a greater UN capacity for surveillance of international trouble spots and local arms race; but it must be omitted from the list of military enforcement possibilities, for the five permanent members of the Security Council are themselves the leading arms traffickers.[43]

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[40] Ibid., p. 15.

[41] Ramsbotham, p. 15.

[42] Ibid., p. 15.

[43] John Lee, Robert von Pagenhardt, and Timothy Stanley, *To Unite Our Strength: Enhancing the United Nations Peace and Security System*, Lanham, Maryland:

It certainly would be plausible for naval forces to be engaged directly in UN inspection, custody, and destruction of weapons at sea. This is especially true with respect to mine countermeasures, which are a concern for all UN efforts where seaborne delivery of aid, forces, or supplies is a possibility. Mine countermeasures are also important in the context of measures to protect sea and air traffic and to guarantee rights of passage.[44]

The prevention of the proliferation of chemical and biological weapons, and of nuclear weapons is on the international agenda. So far, the efforts related this issues have been waged in concert with active, but moderate diplomacy. The United Nations peace and security system may lead to widening activities in prevention of such proliferation in future. Moreover, these activities may take place in peace and security operations as enforcement actions in accordance with the consensus between major powers. Specific naval supporting tasks may include the following:

- Enforcement of fisheries regulation and EEZ arrangements,
- Operations against piracy,
- Interdiction narcotics trade, transit, and smuggling,
- Measures to protect the marine environment,
- Interdiction arms smuggling,
- Inspection and destruction of arms at sea,
- Counterterrorism operations, and
- Interdiction of the slave trade or illegal migration

C. MULTINATIONAL MARITIME FORCE STRUCTURES

In order to fulfill UN maritime missions mentioned above, there are three possible options for creating multinational maritime forces in the UN context. These options are Ad

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University Press of America, Inc., 1992, p. 19.

[44] Sands, p. 22.

Hoc Force, On-Call force, and Standing Force. The attributes of multinational maritime force structures have been well documented by Jeremy Ginifer. (see Table 1)[45]

Table 1. Attributes of a Multinational Maritime Force*

	Ad hoc	On-call	Standing
Interoperability	Variable and unpredictable, dependent on combinations of states involved.	Relatively high; likely to be prepared for collective action.	High, with training and exercising on a constant basis.
Readiness	Low, except for national contingencies.	Ready for action relatively quickly.	High, but dependent on location.
Integration of command and control	Highly variable.	Likely to be high once formed and worked up.	Very high.
National versus multinational commitment	National commitment has overriding priority.	Usually engaged on national priorities; but earmarked for multinational roles.	Permanently dedicated to multinational tasks.
Costs to states of multinational allocations	Relatively cheap to divert assets temporarily from national functions; but few long-term division-of-labor savings.	Relatively low if dual functioning maximizes use of resources.	Initially high to provide new multinational structures; possible long-term savings.
Duration of commitment	Temporary.	Permanent on a part-time basis.	Permanent.
Flexibility	High, can readily undertake unilateral, bilateral and multilateral missions.	National roles potentially constrained by multinational role.	Likely to preclude use for national purposes.
National control	Complete, except when loss volunteered.	Diminished by commitment to multinational duties at short notice.	Minimal or non-existent for fully developed force.

*This table is drawn from a study done by Jeremy Ginifer, "Multinational Naval Force Structure" in Maritime Security and Peacekeeping - A Framework for United Nations Operations by Michael Pugh, New York: Manchester University Press, 1994, p. 104.

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[45] Ginifer, p. 104.

1. Ad Hoc Force

An ad hoc force is mobilized with the emergence of a threat rather than in anticipation of it. This implies a low level of preparedness. Units remain under national command but once the force is constituted operational control is likely to be vested in a state or a group of states. The force is likely to be configured for short-term objectives and will usually be temporary in nature. Unless the units have a tradition of co-operation there will be a low level of interoperability: state military and political structures will prevail. A collective ad hoc arrangement can be defined as one in which multinational forces co-operate or co-ordinate for a specific purpose; in which a significant measure of national control is retained; and in which no substantive form of multinational control, or prior organizing principle, has been evolved.[46]

Nations that form *ad hoc* coalitions identify themselves as concerned members of the international community with a genuine interest in preventing or halting instances of deadly conflict. Unity of command typically is achieved in these coalitions through the vesting of overall command in a leader and the core of his staff from the state contributing the most troops. Like-minded nations often possess interoperable equipment, easing logistical problems, and many will have already conducted bilateral and multilateral military exercises. The resulting shared knowledge of operating doctrine and procedures of coalition partners aids in mission planning and execution.[47]

It is clear that Ad Hoc Force is independent from the UN Security Council's desire. For short term and specific objectives, the size and shape of force, and support for this force are formed and provided by the contributing states. Such a force may be configured by a coalition of individual states, by the some or all members of a regional organization, or by the members of two or more regional organizations.

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[46] Ibid., p. 103.

[47] Andrew Goodpaster, *When Diplomacy Is not Enough - Managing Multinational Military Interventions*, New York, NY: Carnegie Corporation Press, 1996, p. 19.

2. On-call Force

On-Call Force may be created by formal agreements with the Security Council in accordance with Article 43 obligations. Each member state may identify what contributes it can make, and then each of them may designate and provide forces that could be used collectively with the UN Security Council designation.

On-call forces are part of a structure that has some prior organizing principle. However, they are not normally permanently assigned to this structure and are likely to be utilized for national purposes for much of the time, except for periodic exercises. In providing on-call contingents, governments allow themselves scope for determining the desirability, or otherwise, of participating in collective security actions and retain a measure of control over the direction of their forces. On-call forces can be defined as national units made available to a international authority when required, but over which there are still national claims and usually, by implication, national control.[48]

3. Standing Force

Under the UN Security Council direction, it may be possible to establish a UN standing multinational maritime force based on the model of NATO's standing naval force structure. The Charter Article 43 makes feasible such a creation. Undoubtly, the configuration of a standing multinational maritime force under the UN banner depends on the degree to which UN member states are willing to cede control of national resources to the international body.

A standing force consists of a set of integrated national contingents operating in concert, or contingents which have lost their national identity and have assumed a international character. Standing forces are centrally controlled by an authoritative international or global organization which takes primary responsibility for their military and political direction. Standing forces are likely to have a high degree of integration and interoperability in terms of tactical and strategic direction, military systems, logistics, communications and procedures. A standing force can be defined as a multinational force formally constituted and operating under a international, rather than a national structure, to

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[48] Ginifer, p. 103.

counter threats to collective interests, and under which there is a substantial devolution of national control.[49]

The nature of standing forces suggests a permanent multinational collection of human and material resources existing in times of war and peace. This is in contrast to stand-by arrangements, in which naval vessels and personnel, as well as command, planning and support infrastructure, are ready to be put under international control in case of a crisis, but otherwise spend their time under full national control.[50]

D.   MANAGEMENT CHOICES FOR MULTINATIONAL MARITIME FORCES

The main role of the Security Council in multinational maritime operations would be to provide the ultimate source of legitimacy to make authoritative decisions on when, where, for what purpose and in which management system multinational maritime forces are to be used. The Security Council has three possible choices for managing such a force: the UN Authorization, the UN Designation, and the UN Direction.[51]

1.   UN Authorization

Under this option, the Security Council would authorize - not mandate - action by member states or regional organizations to carry out its decisions. Nations or regional organizations would then decide, individually or collectively, what actions to take.[52]

UN authorization may be the most appropriate management choice for *Ad Hoc* coalition forces in the context of suppressive peace operations. Coalition of willing - *Ad Hoc*

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[49]   Ibid., p. 105.

[50]   David Rudd, "Is a Standing UN Naval Force Realistic?," chapter in *Multinational Naval Forces* by Peter Haydon, Ann Griffiths, Halifax, Sofa Scotia Canada: Dalhousie University Press, 1995, p. 115.

[51]   Sands suggests four management types: UN authorization, UN designation, UN direction on-call forces, and standing naval forces.

[52]   Sands, p. 27.

coalition - and the legitimacy of the use of force provided by the Security Council may increase the effectiveness of operation and reduce risks and consequently casualties.

2. UN Designation

Under this option, due to the mission to be done, the Security Council may designate several member states, including a leader state which contributes the most assets, among the member states which commit to provide naval assets to the UN in accordance with the special agreements under Article 43. And then, under the leadership of a member state assigned by the Security Council, all contributing nations participate in multinational maritime operation.

Instead of just Security Council authorization, the Security Council can designate a single country, group of countries, or regional organizations to organize, plan, and direct authorized collective action. Nations would contribute forces to the multinational operations as available or as requested by the accepted command authority, whether a single leader or a multinational structure.[53]

UN designation may be the most appropriate management option for On-Call forces in the context of the non-military maritime missions. In this way, the Security Council may designate more than a single on-call force which are to be served in different regions in order to cope with different non-military missions at a time.

3. UN Direction

The Security Council, itself and its subsidiary organs, may organize, plan, and direct the multinational maritime operation to be done by a standing maritime force. Such a management option may be most appropriate to fulfill all possible UN maritime missions, especially for peace and security operations.

UN direction will require (1) a willingness on the part of member states to forgo unilateral action in part or in whole; (2) willingness to subordinate some national assets to

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[53] Ibid., p. 27.

multinational command and commitment; and (3) a credible UN capability to direct and conduct military operations.[54]

E.   NECESSITY OF UN STANDING MULTINATIONAL MARITIME FORCE AND ITS BENEFITS

The governments of naval powers frequently employ their warships in a 'diplomatic' or 'political' mode, hoping to affect the thinking and change the behavior of adversary governments with little or no intention or expectation of using actual force. This is called 'naval diplomacy'. Naval diplomacy seeks to evoke desired responses without having to apply force. In order to minimize the possibility of the use of force, this is the best way to contribute to enhancing international peace and stability in terms of UN maritime activities. Hence, this is, needless to say, the execution of naval diplomacy by the UN in the context of preventive operations and non-military missions.

Naval diplomacy is carried out by means of five basic tactics. The first two, standing demonstrations of naval power and specific operational deployments represent naval power politics; the rest, naval aid, operational visits and specific goodwill visits are naval influence politics. Standing demonstrations of naval power or naval presences are a time-honored usage of navies. By threatening to use force at sea, or to project force ashore, such standing demonstrations seek to deter actions inimical to the deploying state, and to encourage actions that are in the interests of itself and its allies.[55] If the execution of naval diplomacy is the best way, is it possible to say the UN would be successful in its maritime activities without having a standing multinational maritime force?

During the exercise of naval diplomacy, however, the main problem will often be the lack of diplomatic skill on land rather than the lack of professional quality at sea.[56] The

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[54]   Ibid., p. 44.

[55]   K. Booth, *Navies and Foreign Policy*, New York: Holmes and Meier Press, New York, 1979, pp. 40-41.

[56]   Ibid., p. 30.

construction of and the usage of multinational maritime forces and their effectiveness are all determined by the political context. This includes the institutional framework within which the forces will operate, major power politics, objectives of multinational cooperation, varied national objectives and expectations, and public perceptions. Whatever agreements and organizations within the UN Charter are appropriate to the creation of a multinational maritime force, multinational operations will present a number of political problems which must be resolved. In this sense, how can the UN be successful at reconciling different political perceptions in peacetime without having a standing multinational maritime force, without having several experiences in this area? Is it plausible to solve such diplomatic problems after the multinational maritime operation started?

In the 21st century the high-tech nature of naval warfare will dictate major alterations of the structure of a navy. The developments in weapon technology has made it possible to pack enough firepower into even the smallest craft, so that small vessels or craft of minor navies may be in a position to threaten even the strongest naval units of a multinational maritime force. In addition to this reality, principles for multinational operations and requisites of multinational cooperation dictate several factors such as clear objectives, unity of effort, command arrangements, common doctrine and rules of engagement as the ways could lead to successful maritime operations. Nations, especially the members of NATO, prepare for these operations through political interaction, exercises and war games, personnel exchanges, port visits, cultural, legal and language training, and equipment standardization programs with potential partners. This preparation serves routine peacetime political and military purposes and reduces the risks to a multinational force operating during a crisis or a war. Therefore it seems that the UN maritime operation based on on-call force, which is the present application, will be deprived from peacetime preparation. How does one expect a successful operation from such a force or how does one trust such a force?

The advantage of standing naval forces is that they could be promptly available and could provide a viable way to inculcate interoperability procedures and capabilities at sea. Only through long practice of cooperation is it possible to leach out differences and to force accommodation and standardization where necessary. Further, if established, standing forces

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would be an obvious force justifier for contributing countries, and would provide a testbed for improving operational effectiveness.[57]

Can the UN realistically be expected to meet its present and future challenges without some built-in, immediately available military capability? The organization at present relies for its increasingly complex operations almost entirely on contingents and *ad hoc* logistical support from member governments. This means that its initial reactions are often hesitant and slow, and its capacity to stay the course uncertain.[58]

The UN and its members need to act much earlier and more decisively to try to head off or resolve crises - before so much violence has taken place that emotions become extremely hard to cool, and before actual and imminent loss of life by conflict, starvation, and disease reaches the acute stage. A small, permanent UN force could be very important for this purpose, and it should be complemented by an array of procedures for peaceful conflict prevention and conflict resolution help for rehabilitation and reconstruction, not only relief, as well as the threat or use of economic and political sanctions.[59]

The message is clear. In the immediate future, the best way of enhancing the UN's naval missions first requires the establishment of a standing multinational maritime force as a concrete structure to deal with the security issues in maritime environment of the world. Without doubt, a UN standing multinational maritime force will have the advantages of professional and specialized training, rapid reaction time, organizational efficiency and financial stability.

If it is established, the UN standing multinational maritime force will serve five main functions:

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[57] Sand, p. 45.

[58] Brian Urquhart, "Who Can Police the World?," *The New York Review of Books*, May 12, 1994, p. 29.

[59] Robert Oakley, "A UN Volunteer Force - The Prospects," *The New York Review of Books*, July 15, 1993, p. 53.

- It will provide training experience for expected operations in future, which will enable participant navies to improve naval operations proficiency and the UN standard operating procedures development and evaluation.

- It will provide evidence of UN member solidarity.

- It will provide the UN with a multinational ocean surveillance capability.

- It will provide the Secretary-General with an immediate available combined force to be deployed to the scene of any possible contingency to reaffirm the solidarity of the UN family and provide a visible deterrent.

- It will provide an instrument for naval policy, especially in terms of standing demonstrations of naval power on behalf of international peace and stability.

With a modicum of political goodwill and cooperation, as well as some creative experimentation, to meet future security needs, the UN standing multinational maritime force seems likely to play a great role in the maritime environment. At this point, it needs stressing that the establishment of a UN standing multinational force can be a beginning, not the end.

III. POLITICAL CONSTRAINTS AND PROBLEMS

A.   OVERVIEW

Standing international naval forces have been advocated periodically throughout the twentieth century. In the aftermath of the First World War, a proposal for a League of Nations standing naval force was put before the United States Navy.[60] After WW II, abortive discussions took place in the UN Military Staff Committee, over the formation of standing forces. The validity of standing forces has been re-examined after the Cold War and navies are regarded by some commentators as prime candidates for structural integration.[61]

One of the first modern proposal for a UN Standing Naval Force (UNSNF) was made by a Norwegian organization. It suggested that national ships be earmarked for a UN squadron on a rotational basis under the control of a UN commander who would be supported by an international staff of experts. Ships would join the UN squadron for three to six months. The annual sailing programme would be approved by the Secretary-General.[62]

The idea of an experimental UN naval unit was also aired in the former Soviet Ministry of Foreign Affairs, growing out of a proposal by Eduard Shevardnadze in September 1987 for a UN task force to convoy merchant ships and ensure freedom of navigation in the Persian Gulf. Subsequently, at UN seminars in 1989 and 1990, the Deputy Foreign Minister, Vladimir Petrovsky, argued for an extension of UN activities to maritime operations. In its October 1990 Memorandum to the Security Council on strengthening the UN, the Soviet Government urged analysis of appropriate contingents provided by the permanent members of the Security Council. The Military Staff Committee would be required to plan options and

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[60]   US Navy, Memorandum for Chief of Naval Operations, 'Proposed Plans for Establishment of League of Nations Army and Navy', 11 November 1919, PD-179-1, Record Group 80, Secretary of the Navy, National Archives, Washington DC, cited in Jeffrey Sands, *Blue Hulls: Multinational Naval Cooperation and the United Nations*, paper for the Center for Naval Analyses, Alexandria, Va., 1992, Appendix, p.A-17.

[61]   Ginifer, p.118.

[62]   Ibid., p.118.

procedures for joint actions and control the naval forces of any UN members which were put at the Security Council's disposal. Regional structures might be developed and authorized by the UN to conduct operations. The costs would be borne by UN members according to their force contributions and ability to pay. Standing Joint Task Forces in each of the Atlantic and Pacific Oceans, with ships regularly rotated, would provide the basis for UN responses to regional conflicts. Joint training to co-ordinate fleet operations would be required, and perhaps a large exercise once every 2-3 years under UN auspices.[63]

Michael Vlahos takes the view that the United States would be a key component in any UN standing force, and has called for the United States to take the lead in establishing a 'Standing Naval Force, World'. He proposes that such a navy should move beyond the alliance concept which defined NATO and should become a permanent global force divided into Eastern and Western naval divisions. Vlahos stops short of suggesting that the UN should control this global force in any substantive sense. Instead, he envisages it as a permanent military coalition, in 'co-operative, voluntary association', with a permanent US naval contingent as its core.[64]

Other advocates, notably Sir Brian Urquhart, point out that the response from governments to the Charter idea of rapid deployment standby units has been at best non-committal, and that present signs are not encouraging. He has long advocated the alternative of establishing a small, standing, highly-trained volunteer rapid response group as part of the UN itself to fulfil an evident increased need for a flexible, rapid response capability, reliably and immediately available for UN service.[65]

Gwyn Prins has also suggested the creation of a global UN naval force structure and the development of UN standard operating procedures. This would be augmented by the development of a United Nations Command Center which would liaise with the National

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[63] Ibid., p.119.

[64] Michael Vlahos, "*A Global Naval Force? Why Not?*," *Proceedings*, US Naval Institute, March 1992, pp. 40-4.

[65] Ramsbotham, p.14.

Command Centers of those states contributing forces to UNSNF at time of crisis. UN as well as national pennants would be flown. In certain high intensity operations Prins envisages the switching of military command from National Command Authorities to the UN Command Center.[66]

The construction of a UN standing multinational maritime force and its effectiveness are all determined by the political support for such forces among key participants in the UN. The political context is dynamic as nations and alliances adapt their policies, expectations and ambitions to the post-Cold War situation. This shifting dynamic complicates the development of multinational formations and the achievement of the political consensus essential for successful multinational undertakings.[67]

The UN Charter provides for the establishment of a standing military force, and a military oversight committee (UN Charter Articles 43 and 47), but no standing UN military force has ever been created, and the oversight committee has been ineffectual.[68] In particular, the member states of the UN seem more reluctant to transfer control of their armed forces than the Charter's authors had hoped. This may be partly due to reservations about the United Nations' existing machinery for directing military forces under its control, however, it may also be due to broader doubts about the United Nations' capacity to manage a world torn apart by a huge range of conflicts.[69]

In actuality, the willingness or reluctance of states to contribute to the establishment of a UN standing multinational maritime force is a reflection of their political support for such a force. This chapter explains the characteristic problems and constraints of the political

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[66] Ginifer, p.119.

[67] Roger Palin, "Multinational Military Forces: Problems and Prospects," Oxford, NY: *ADELPHI* Paper no. 294, 1995, p.5.

[68] Augustus R. Norton, Thomas G. Weiss, "UN Peacekeepers, Soldiers with a Difference," *Foreign Policy Association*, no.292, Spring 1990, p. 4.

[69] Adam Roberts, "The United Nations and International Security," London: *SURVIVAL*, vol. 35, no.2, Summer 1993, p.5.

context that has engendered the member states' reluctance to construct a UN standing multinational maritime force.

B.   PURPOSES AND PRINCIPLES OF THE UN CHARTER

Since its establishment in 1945, the UN Charter has been frequently criticized in terms of its Purposes and Principles. In general, critics in the political literature argue that the Charter's Purposes and Principles are too idealistic to be realized or have higher standards than those which can not be fulfilled. Here are some excerpts:

> The document spoke to the highest aspirations of mankind (in its Purposes and Principles), but it was tempered by the realities of power (as reflected in voting procedures and requirements). Inconsistency has been and will be a result of the fact that the United Nations is a gathering of sovereign States and what it can do depends on the common ground that they can create between them[70]

> The United Nations was established 'to maintain international peace and security...' It was also 'to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion...' Yet the nations of the world who charged the UN with these **great missions** never permitted it to acquire the resources it needed to fulfill them.[71]

> A basic challenge is that the Charter is a manifesto and codification of rules, norms and principles of the world as it should be, not the world as it is. With all the stresses and strains, the glaring failures and inadequacies, and the errors of both omission and commission over the past 45 years at the United Nations, the fundamental goals of peace and security - individual, communal, and national; economic, social, and political - remain elusive for most of the world's people.

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[70]   Petrie, pp. 76-77.

[71]   Wendel Gordon, *The United Nations at the Crossroads of Reform*, New York: M. E. Sharpe, Inc. 1994, p.3.

Yet the UN is still the only forum where, in some form, and however perversely at times, the world's nation-state sit together.[72]

The UN has always been a theater for standard-setting and myth-making - for appealing to higher standards than those which commonly prevail in international relations, and for holding out the promise of a better-ordered world.[73]

At the first glance, it may be fashionable to say that these ideas are completely right. On the contrary, it can be said that the key point is not whether the Purposes and Principles of Charter were written with the highest aspirations of mankind. Indeed, the key point is what we wanted and what we protected. Nobody else wrote those purposes and principles, but we did them and, furthermore, we still keep them.

The authors of the Charter were aware that it might have flaws, and might need revision. Consequently, they provided in Article 109 of the Charter for "A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter." In paragraph 3 of Article 109 it states that:

> If such a conference has not been held before the tenth annual session of General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly.[74]

Despite the frequent criticism of the UN, such a conference has never been called. If the Charter's Purposes and Principles are not reasonable for the present international system, why are not they revised? If these Purpose and Principles are fully adequate for collective

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[72] David Dewitt, David Haglund, John Kirton, *Building a New Global Order,* New York: Oxford University Press, 1993, p.7.

[73] Adam Roberts, Benedict Kingsbury, *United Nations, Divided World*, New York: Oxford University Press, 1993, p. 21.

[74] Gordon, p. 4.

security, why are not they taken into account in real life? The problem is not the context of those purposes and principles, but the unwillingness of member states to accept the responsibilities which are emanated from the Charter. Probably, they have plausible reasons for forgetting that the UN belongs to its members - with all the benefits, problems, and, above all, responsibilities of ownership.

Obviously, a statement of objectives or goals for an organization guarantees nothing toward their fulfillment, and if the goals have real importance or significance for the welfare of humankind, the process of fulfillment is of greater value than the verbalization of aims. On the other hand, whether achievable or not, the statement of objectives points the direction for action and gives shape to the program for the organization.[75]

The statement of purposes in the UN Charter is both general and redundant. The aims are broad enough to express the desire of war-weary nations for an organization and program capable of helping them to avoid future military contests and to improve economic and social relationships among states. At the same time, general and vague goals provide a basis for ready agreement because they can suggest to the representatives of nations with divergent interests a variety of subgoals, interpretations, and means of implementation.[76]

An essential but self-evident principle of the Charter is the obligation of all members to fulfill in good faith all the obligations assumed by them in the Charter. This promise is nothing more or less than a statement of the basic norm underlying all international treaties and international law. Without this obligation the UN Charter has no real meaning beyond its literary value, since enforcement is dependent upon the actions of the individual members. Because the right to interpret such obligations also rests ultimately with individual states, the possibilities for state commitment to Charter obligations vary from vigorous action to a nullity.[77]

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[75] Le Roy Bennett, *International Organizations; Principles and Issues*, New Jersey: Prentice-Hall Inc., 1995, p.57.

[76] Ibid., p.57.

[77] Ibid., p.60.

The principles constitute a substantial body of basic norms on which the UN structure and functions are superimposed. Although this group of norms is not always clear as to meaning and is not internally consistent, it represents, in combination with the purposes of the organization, the essential statement of the philosophy of the UN. Since a philosophy is not very useful without implementation, the international behavior of states will determine whether these norms or others are predominant in world politics.[78]

This situation is an essential reason for the absence of political support, and consequently lack of political consensus among the UN's member states for an effective UN. If a UN standing multinational maritime force is to be created, the international behavior of states will determine this establishment - not the UN Charter. In the present political environment, the perception or interpretation of the individual states does not reflect such a development. Political support and political consensus for collective security are a determining factor for the creation a multinational maritime force. Faced with such a problem, i.e., the absence of political support, and the absence of the unity of interpretation, the state commitments to Charter is a nullity in terms of the establishment a UN standing multinational maritime force.

C. COLLECTIVE SECURITY

It is now a cliche that a perception of real collective security has not yet emerged in international community, or that there is only limited agreement among the nations about the basis of international security. If it is true, this situation raises a question. Why and how were the sovereign states able to create the UN without consensus on collective security? It is interesting that the UN Charter mentions collective security, international peace and security in many times in its context, but it never defines what their context are.

The absence of a parallel culture internationally, however tolerable during the Cold War, is now a source of frustration. For example, the admission of Turkey to NATO has been accepted despite its different culture from the Western countries. While the collapse of

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[78] Ibid., p.62.

communism has eliminated the major global clash of values, it has had an opposite effect on other nationalist, tribal, religious, economic, and ethnic conflicts that have been there for some time and may even reenergize North-South economic discord.[79]

The conflict between civilizations engenders a major obstacle to collective security. The West is now at an extraordinary peak of power in relation to other civilizations. Its superpower opponent has disappeared from the map. Military conflict among Western states is unthinkable, and Western military power is unrivaled. Apart from Japan, the West faces no economic challenge. It dominates international political and security institutions and, with Japan, international economic institutions. Decisions made at the UN Security Council or in the International Monetary Fund that reflect the interests of the West are presented to the world as reflecting the desires of the world community.[80]

Differences in power and struggles for military, economic and institutional power are thus one source of conflict between the West and other civilizations. Differences in culture, that is basic values and beliefs, are a second source of conflict. Western ideas of individualism, liberalism, constitutionalism, human rights, equality, liberty, the rule of law, democracy, free markets, the separation of church and state, often have little resonance in Islamic, Confucian, Japanese, Hindu, Buddhist or Orthodox cultures.[81] This situation explains why nations do not behave in harmony in terms of collective security.

In addition to the clash of civilizations, it is a reality that sovereign states, as the fundamental units in the international system, have different as well as mutual interests. Nobody should necessarily expect relations among the nations, including the major powers, to be always good. Such differences of interests are, of course, reflected in the proceedings of the UN Security Council and in the contribution to the decision of the UN Security Council dealing with to act.

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[79] Pickering, p.97.

[80] Samuel P. Huntington, "The Clash of Civilizations?," *Foreign Affairs* vol. 72 no. 3, New York: 1993, p.39.

[81] Ibid., p.40.

Each state, first of all, strives to protect its own national interests by using scarce resources. The fact that resources are scarce causes the emergence of different priorities for each state since each has the same or different resources which are limited and have different quality and quantity. One suspects that, the problem related with collective security is the conflict of the sovereign states' priorities. Collective security, which is the one of the sovereign states' mutual interests, succumbs to the lure of unilateral interests.

This conflict, as a fact of real life, plays a great role in collective security in terms of timing and contribution. Different national perceptions of timing and contribution may not create a handicap for ad hoc coalitions, but it is a tangible obstacle to determine mutually acceptable objectives and provide unity of efforts. This situation makes impossible the emergence of a continuous and sufficient framework, which must include political and financial support, necessary for the establishment of a UN standing multinational maritime force.

The dilemmas which states are likely to encounter when divergence between national and collective policies occur will prove more difficult to resolve if the goal is the creation of standing forces than if looser structures are intended. Standing forces may become engaged in operations contrary to the interests of member states which have close commercial, cultural or ethnic links with the target of sanctions. In rudimentary structures, contributing states might have the freedom to avoid involvement in operations they regard as undesirable. However, in any advanced structure this power of veto might be eroded or states would be, in effect, politically coerced into participating. Commitment to a standing force might also severely limit the scope for withdrawal from an operation which proved domestically unpopular.[82]

Without the commonly accepted definitions of collective security, international peace and security and the classification of threats to international peace within the UN Charter context, these questions arise:

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[82] Ginifer, p.106.

- How can one limit and define that what is the broader of national sovereignty and what is the border or dimension of collective action?

- How can one prevent the exploitation of the differences and contradictions of the existing civilizations?

Without establishing a framework which answers to these questions mentioned above:

- How can one define the UN naval missions and the context of these missions?

- How can one provide and promote the multinational cooperation for collective security?

- How can one define the authority in a UN naval operation and its limits?

D. AUTHORITY AND RESPONSIBILITY

There is a widely held belief that the UN has a double standard. Generally, the criticisms of its operations are on the basis that there were not a specific sensitivity and rapidity to act against conflicts or aggressions in a same manner. For example, action against the invasion of Kuwait by Iraq was clearer and quicker than the action against Bosnia conflict.

There is an unbreakable link between responsibility and authority: no one can be held responsible for an action if he is not invested with the authority to do so. This means that, the UN cannot be held responsible when it has no authority to act.[83] There is a common misperception about the work of the United Nations. It is obvious that the UN is not a supranational organization. In accordance to the fundamental dimensions and dynamic processes of the international system, the functions and activities of the UN, in other words, its Charter, are moulded by the sovereign states. The UN Charter confers on the Security Council primary responsibility for the maintenance of international peace and stability. The UN's ability to act depends on the minimal consensus in the Security Council.[84] Specifically,

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[83] Petrie, pp. 76-77.

[84] According to Article 27 of the Charter: "Decisions of the Security Council ... shall be made by an affirmative vote of nine members including the concurring votes of the permanent members."

common public expectations of the Security Council most frequently fail to take into account the Charter's requirement for at least a minimal consensus.[85] In the absence of this consensus, the UN lacks authority to act.

A distinction must be made between international peace and international stability. These are not the same things. International peace comes from international stability which is emanated from the consensus between major powers. International stability does not mean a world expunged of war or conflicts. If the consensus between major powers is disagreement and consequently the decision of the Security Council is no-action or to stay silent, it is behalf of international stability in order to prevent large-scale conflicts. In this sense, it can be said that the UN will never help to solve each international security problem, especially in a case which is inimical to any major power's interests.

But this situation damages the credibility and trustworthiness of the UN and consequently reduces political support in terms of contribution of national contingents for a standing multinational maritime force. If the UN will not intervene each international security problem, is it feasible and reasonable to maintain a standing multinational maritime force within the UN organization? In such a case, sovereign states will probably be reluctant to contribute UN operations and to establish a UN standing multinational maritime force.

E.   PEACEKEEPING AND PEACE ENFORCEMENT

The distinction between peacekeeping and peace enforcement is clear in principle. So must be the prerequisite of local consent. But, it is not clear how it works in practice.

Traditionally, UN peacekeeping involves an operation without enforcement powers to help maintain or restore peace in areas of conflict at the request of parties and with their full consent and cooperation. On the other hand, UN peace enforcement is an operation which is an action of a deterrent or coercive nature, taken without the consent of both parties, to counter a threat to the peace, to suppress aggression or to deal with breaches of the peace. Peacekeepers are primarily constabulary in nature; beyond limited self-defense, they are not

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[85]   Petrie, p.77.

expected to perform combat missions. Peace enforcers, by contrast, must have both offensive and defensive combat capabilities, although they can also be cross-trained in peacekeeping roles.

It is evident that the reality does not always match these descriptions. The line between consensual peacekeeping and Chapter VII enforcement will increasingly blur in future. For example, consent once given could be withdrawn, leaving UN forces caught in a crossfire of hostile parties. Peacekeepers must always be able to fight in self-defense, and should be alert to and prepared for the possibility of broader combat action if a situation changes.[86]

At this point, it is useful to look at what Chapters VI and VII say. Chapter VI: Pacific Settlement of Disputes, mentions the essentials of the conflict resolution in terms of the diplomatic process. In summary, it encourages a diplomatic process of investigation, recommendation, and negotiation that has been frequently used since the UN was established. It reflects the desire to solve conflicts and disputes without resort to force. Contrary to the common perception, Chapter VI does not say anything about the prerequisite of local consent, and the use of force.

There are new questions about the consent of the parties to UN deployment. One peacekeeping force, UNIKOM, has been imposed on Iraq under Chapter Seven, which invokes enforcement measures; another, the peacekeeping operation in the former Yugoslavia, UNPROFOR, has also deployed forces without the explicit consent of the parties to their composition or command. There is a tendency now to move away from the consent and co-operation principle.[87]

Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression, mentions the actions determined by the Security Council. These actions include economic sanctions and military measures. This chapter also defines how member

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[86]   John M. Lee, Robert von Pagenhardt, and Timothy W. Stanley, *To Unit Our Strength, Enhancing the United Nations Peace and Security System*, Lanham, University Press of America, Inc. 1992, p.35.

[87]   Tharoor, p.16.

states should contribute to these actions. In short, Chapter VII points to actions in which the use of force is allowed, if the disputing parties deny Chapter VI. In other words, if there is any military involvement or any economic measures determined by the UN, this means that Chapter VII is in process, not Chapter VI. In this sense, it is unrealistic to say that peacekeeping operations are executed under Chapter VI.

Article 1 of the Charter has it that the first purpose of the UN is the maintenance of international peace and security. There are concrete measures set out in the Charter to ensure this, both in Chapter Six, which talks about the 'pacific settlement of disputes'-finding solutions by negotiation, conciliation, mediation, and other peaceful means- and in Chapter Seven, which provides for enforcement measures in case of threats to international peace and security, if Chapter Six doesn't work. But 'peacekeeping' is not mentioned in either chapter.[88]

On the other hand, the prevailing interpretation of these chapters is quite different. In peacekeeping missions, the traditional perception of force structure and its equipments causes the emergence of hesitations in terms of the assignment of national contingents because of the risky operation. While the UN Charter includes nothing about force size and composition, the UN binds itself because of the traditional perception. What is the main objective of operation? To protect the disputing parties from the peaceful community or to protect the peaceful community from the disputing parties? In practice, the UN trusts disputing parties but not peaceful community. If we must create a distinction between peacekeeping and peace enforcement, this distinction should be done with respect to objectives, directives and procedures for each operation, but not force size and composition or in the terms defined politically.

Aside from the cost in money, men, and equipment, the major obstacles to a standing UN force have been, and remain, the reservations of thoughtful military leaders about inadequate command and control, the lack of a clear mandate, clear rules of engagement, and insufficient resources for the specific mission to be undertaken. The usual UN peacekeeping

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[88]   Ibid., p.10.

practices, including command and control from a UN headquarters whose planning has been vague, and whose logistics have been weak, are widely considered to be militarily unworkable. If this system continues unchanged, no self-respecting military commander (or political leader) would willingly send his or her forces into harm's way under the exclusive authority of the Security Council and under the day-to-day direction of the Secretary-General. This traditional approach is a formula for confusion, failure, and potential disaster.[89]

A well-written mandate, embracing the political objectives and constraints and the military objectives and degrees of force that may be employed, will furnish clear guidance for conducting the operation, sizing the force, and drawing up initial plans.[90]

A clear mandate is vital to effective execution of any peace mission. However, the UN Security Council resolutions are often ambiguous political documents to accommodate divergent national interests (e.g., over eighty separate resolutions on Bosnia). Unity of purpose and an integrated political, military, and humanitarian relief strategy are vital for success in major peace operations. However, unity and integration are often vitiated during execution of the mission because nations and organizations comprising multilateral peace mission sometimes pursue their own views and interests at the expense of the overall mission.[91]

In terms of multinational maritime operations, the distinction between peacekeeping and peace enforcement does not make a difference with respect to force structure and type because of the nature of the naval forces. But, this situation does affect the determination and application of the rules of engagement (ROEs). ROEs is a defining factor for multinational maritime operations. The definition of ROEs is clear and unambiguous: " The matching of

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[89]   Oakley, p. 52.

[90]   Palin, p. 32.

[91]   *Strategic Assessment 1996*, Washington DC.: National Defense University, Institute for National Strategic Studies, 1996, p.130.

political control to executive power in a clear and readily understood fashion."[92] With the crucial distinction between peacekeeping and peace enforcement missions, determining ROEs at the outset of an operation is, and will be, always difficult, especially in multinational action involving the forces of different nations. As evidenced in the Gulf and Adriatic operations, formation and implementation can be difficult in multinational operations. Ideally, all units of such a force should operate under the same ROEs; if they do not, the force's efficiency and effectiveness are reduced. Reaching agreement, which can be hard enough at the national level, is infinitely more difficult for multinational forces because more factors and different political perspectives come into play.[93] In addition, the problems introduced by multinationality stem not only from the determining rules of engagement, but also from the fact that each nation has a different ROE philosophy and interprets the relevant terms, such as 'hostile act' or 'hostile intent', in a different way.

This situation requires political and military consensus to define ROEs for UN operations. So far, the UN has not had such a consensus. On the other hand, in the aftermath of the Cold War, most Western societies have begun to reduce the size of their military inventories. Consequently, their naval units have become more valuable for national requirements than they had in the past. Therefore, without widely accepted and acknowledged ROEs, the member states of the UN will probably continue to be reluctant to assign their naval units to a UN standing multinational maritime force because nations do not want to put their valuable units at stake.

F.   MEMBERSHIP

One might believe that it is simple and straightforward to identify a nation, argue that all nations should be members of the United Nations, and automatically recognize the

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[92]   G.A.S.C. Wilson, *Maritime Rules of Engagement: The European Perspective*, Alexandria, VA: Center for Naval Analyses Print, 1994, p.1.

[93]   Ibid. p.39.

membership of all such identifiable nations.[94] But, it is not automatic that all countries are members of the UN or the UN membership of a state does not depend on just only its willingness.

Procedures are provided in Article 4 of the Charter for the membership. This article specifies that: "Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter...able to carry out these obligations... the admission of any such state to membership in the United Nations will be affected by a decision of the General Assembly upon the recommendation of the Security Council." Procedures are also provided in Article 5 for the temporary suspension or expulsion of members following recommendations of the Security Council and action by the General Assembly.

It is obvious that, Article 4 seeks for three fundamental features: being a peace-loving sovereign state, accepting the obligations of the Charter, and being able to carry out these obligations. If all of the members of the UN had to match this description, how many members could there be in the UN? Why is the Security Council recommendation required for the admission of any state to membership in the UN and temporary suspension or expulsion of members? If recommendation is necessary, does the veto right of permanent members affect negatively these procedures? It is well known issue that the supporters of international terrorism are still the members of the UN. Additionally, the UN Charter does not have any procedure for temporary suspension or expulsion of any permanent member. If the UN is responsible for international peace and security as a universal organization, and if a permanent member is an aggressor, how does the UN fulfill its responsibility? This issue, keeping the rules which are non-applicable to real life, undermine the credibility and long-term legitimacy of the UN as a whole.

If an organization is not able to protect itself and its purposes and principles, how will it provide international peace and security? Is it plausible to assign permanent military forces

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[94] Wendel Gordon, *The United Nations at the Crossroads of Reform*, Armonk, M. E. Sharpe, Inc. 1994, p.13.

to such an organization? How does the UN provide the requisites of multinational maritime cooperation without confidence in procedures at all levels?

G. DECISION-MAKING PROCESS

If the United Nations is indeed a universal organization which is responsible for international peace and security, its system of decision-making must be seen as legitimate. The structure of the Security Council, as the decision-making organ, including the system of five veto-wielding permanent members, is in danger of losing its legitimacy.

The Security Council, which has the power to order the use of force to compel nations to make peace, is made up of representatives from fifteen of the member countries.[95] The five permanent places go automatically to the so-called great powers- the permanent members that dominated the writing of the original charter at San Francisco in 1945: the United States, Britain, France, China, and the Soviet Union (now Russia). The occupants of the other ten places are elected for two-year terms by the General Assembly.[96] The Charter provides that, in the election, due regard shall be paid "to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution."[97]

The problem is that this structure does not reflect the realities of the contemporary world. It does not include on a continuing basis the economic superpowers, Germany and Japan, or the largest regional powers such as India, Brazil or Nigeria, or relatively wealthy countries like Canada and Italy. Nor does it fully reflect the availability of military power for United Nations purposes.[98] Yet proposals to promote certain countries to permanent membership are quickly enmeshed in political objections. For example, Japan and Germany

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[95] The powers entrusted to the Security Council and its voting procedures for decision-making emanate from Articles 23-32 in the Charter.

[96] Gordon, p.26.

[97] Article 23 of the UN Charter.

[98] Lee, Pagenhardt, Stanley, p.21.

have strong claims, as the second - and third - largest contributors to the UN budget, but would their neighbors be happy with the change? And given the special responsibility of the permanent members to maintain peace and security, should permanent membership be granted to Japan, whose constitution restricts it in sending forces abroad?[99] It is not reasonable to suggest that the five winners of the Second World War, with the assistance of 10 additional, rotating member states, comprise a representative, legitimate, or authoritative voice for a UN membership of 186.[100]

Expanding the Security Council seems one of the more reasonable ways to improve the representative character - and thus the legitimacy - of the world organization in the eyes of its 186 members and their people. Increasing the council's overall size from the present 15 members would allow more nations to participate on a rotating basis in decision-making by this critically important organ.[101] There is a widespread agreement that there should be additional permanent or non-rotating members of the Security Council. At the same time, the number of rotating members should be raised from 10 to 13. An expanded Council is more likely to win the confidence necessary to implement proposals such as a standing military force to provide a rapid response to security threats.[102]

The number of permanent and rotating members is a problematic issue. A formal change in structure of the Security Council seems very hard to achieve, even it is desirable. In 1945, the UN has been established by five major powers in accordance with, most likely, the multipolar system approach. Unfortunately, almost immediately following the creation of the UN, the bipolar system has dominated the international affairs because of the Cold War. If we are now saying that the Cold War is over, and multi polarity dominates again,

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[99]   Paul Kennedy, Bruce Russett, "Reforming the United Nations," New York, *Foreign Affairs*, vol. 74, no. 5, September/October 1995, p.67.

[100]   Ingvar Carlsson, "The UN at 50: A Time to Reform," *Foreign Policy*, no. 100, Fall 1995, p.6.

[101]   Kennedy, Russett, p.6.

[102]   Carlsson, p.7.

why do not we rearrange the structure of the UN Security Council? Are major powers the same powers of 1945?

An Agenda for Peace is particularly interesting for its recognition of the importance of regional organizations. It urges that there be a partnership between these organizations and the UN, not a shuffling of responsibilities between them. But, enlarging the international security role of regional organizations is easier said than done. These organizations have a bewildering variety of purposes and memberships, and they often have great difficulty in reaching decisions and in taking action. Many regional bodies are seen as too partial to one side.[103] In order to provide and promote international peace and security, the decision-making process in the UN must be done more collectively by increasing the participation of member states in this process. At the same time, such a development will help to cooperate with regional organizations.

Western domination of the UN Security Council and its decisions, tempered only by occasional abstention by China, produced UN legitimation of the West's use of force to drive Iraq out of Kuwait and the elimination of Iraq's sophisticated weapons and capacity to produce such weapons. It also produced the quite unprecedented action by the United States, Britain and France in getting the Security Council to demand that Libya hand over the Pan Am 103 bombing suspects and then to impose sanctions when Libya refused. The West in effect is using international institutions, military power and economic resources to run the world in ways that will maintain Western predominance, protect Western interests and promote Western political and economic values. That at least is the way in which non-Westerns see the new world, and there is a significant element of truth in their views.[104]

In the light of the immensity of world seas and the dimension of UN naval missions and supporting tasks, wide participation in decision-making process is necessary for collective security. But, the present situation does not have such a configuration. This

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[103] Roberts, p.8.

[104] Huntington, p.40.

situation is the most important reason for the absence of political support in terms of the creation of UN standing multinational maritime forces.

Without doubt, the veto right of each permanent member is also another problematic issue. The intent of the qualified-majority approach - which means that nine votes are required for approval, including affirmative votes or abstentions by all the permanent members - is to ensure that the organization does not make decisions that any permanent member of the Security Council opposes. Clearly, it would not further the maintenance of international peace and security for the United Nations to take decisions that one of these major powers considered inimical to its national interests.[105]

In order to maintain the organization's semblance of effectiveness and solvency, the UN Security Council must continue to keep the permanent membership and their veto rights. International peace and security are drawn from stability. In this respect, the permanent members, again as major powers with major interests in the international system, can control whether the resolution of the Security Council is inside the bounds of their mutual interests. The veto right, is not an obstacle to the creation of UN standing maritime forces.

H.   ADMINISTRATIVE, PERSONNEL AND PLANNING

The UN Charter has no obstacle to the establishment of a standing military force and an advisory Military Staff Committee. Articles 43 and 47 provide, respectively:

> "All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including the rights of passage, necessary for the purpose of maintaining international peace and security."

> "There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military

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[105] Petrie, p.78.

requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament. ... The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees."

The UN has 185 member states. To date, the member states have been unwilling to provide the necessary resources for the UN to conduct operations with full effectiveness. No UN standing maritime force has ever been created, the Military Staff Committee has been ineffectual, and regional subcommittees have never been established.

Formal responsibility for planning, organizing, mounting, sustaining and accounting for duly authorized UN operations lies with the UN Secretariat in New York. The increasing role of the UN in international security requires its capacity sufficient to manage a huge range of conflicts.

Once a UN operation has been deployed, the Department of Peacekeeping Operations (DPKO) in New York is the principal organ of management with the Military Adviser (MILAD) maintaining contact with the Force Commander and serving as a source of continuous advise for the Secretary-General. At present, the permanent staff of the DPKO includes 18 political officers and 8 military officers attached to the MILAD's Office.[106]

The lack of personnel for pre-deployment planning and continuous operational oversight has been a major source of the difficulties in contemporary UN operations. This issue is related of course, to a particular and long-standing deficiency in the UN system: the lack of military expertise available to the Secretary-General. The small number of officers assigned to the MILAD's Office is only one aspect of the problem.[107] It is worthwhile to compare this with NATO's staffing. There are approximately 3,750 people employed at NATO Headquarters on a full-time basis. Of these, some 2,150 are members of national

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[106] Mats R. Berdal, "Whither UN Peacekeeping?," London: *ADELPHI Paper no. 281*, October 1993, p.53.

[107] Ibid.,p.54.

delegations and national military representatives to NATO. There are approximately 1,180 civilian members of the International Staff and 420 members of the International Military Staff including 80 civilian personnel. Since 1994, a number of Cooperation Partner representatives also have liaison offices at NATO Headquarters.[108]

Neither the Secretary-General nor the Security Council has a military adviser; the senior military officer in the UN is now the recently appointed three-star Assistant Secretary-General for Planning and Support in the DPKO, supplementing the two-star military adviser to the Under-Secretary-General (USG). This means that Security Council resolutions are not subjected to a cold, hard military feasibility study before being published. The unrealistic nature of many of these resolutions may reflect the consensus possible in the Council, but they do nothing for the reputation and standing of the UN, nor for those commanders in the field who, using them as their mandate, have to turn them into practical operational directives.[109]

An additional factor which has tended to reduce the managerial capacity of the MILAD's Office has been the absence of advanced information-processing and management systems, secure communications facilities and computerized database systems to store operational information of a military as well as political nature that can be disseminated to missions.[110]

A well-structured and staffed headquarters is essential to any military force. It is from the headquarters that an operation is conducted, courses of action considered, plans drawn up and directives, orders, and instructions issued. There must be good communication within the headquarters and the technical means to communicate outside, as well as a basic understanding within about its function and how it needs to work. An ad hoc grouping of national representatives under an appointed UN commander is not a viable headquarters, and

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[108] NATO Handbook, p.137.

[109] Ramsbotham, p.17.

[110] Berdal, p.54.

there are many examples of how such a rudimentary structure has impeded the success of UN operations.[111]

The equipment and infrastructure - material, lodging, supply, administration, and C3 (command, control and communication) - that support UN maritime operations are inevitable requisites for the establishment of a UN standing multinational maritime force. It is clear that the UN's existing machinery for directing military forces under its control is not sufficient to manage and to support multinational maritime operations effectively and efficiently. In addition to these shortcomings, navies are expensive, and nations rarely have all the ships and personnel they feel they need for their own effective defense and enforcement. Any ship lent to the UN is one less ship available to the donor nation.[112]

Although the UN has been increasingly involved in naval operations, there is at present no clear overarching naval management structure for their oversight. This has been evident in the UN naval initiatives in the Persian Gulf, the Adriatic and Cambodia where differing management structures have been the product of expediency rather than a rigorous management logic.[113]

One school maintains that, to be effective, international action can only be taken through the leadership and initiative of one or two powerful and willing states - as in Desert Storm, for example, or Somalia. The other school holds that the UN is a universal organization representing the interests of all governments, and its members must be allowed to participate fully in its decisions and actions. The first opens the UN to accusations of elitism, special interests, and even neocolonialism. The second raises questions about the

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[111] Palin, p.35.

[112] Staley, p.15.

[113] Jeremy Ginifer, Eric Grove, "UN Management of Naval Operations," in *Maritime Security and Peacekeeping; A Framework for United Nations Operations*, by Michael Pugh, New York: Manchester University Press, 1994, p.126.

organization's competence, its ability to make and carry out tough decisions, and the strength of its political and military leadership.[114]

To survive as a useful international organization the UN clearly needs the backing of the more powerful countries, and it also needs a stronger capacity to deal with situations where no great power interest is involved and where it must call on the support of all its members. The argument that the UN does not have the capacity to direct and control complex operations is often made by governments that really do not want it to do so. The denial of the authority or resources to develop its capacity to act effectively will inevitably perpetuate the UN's weaknesses.[115]

Faced with such considerations, it is very understandable why member states of the UN are reluctant to transfer control of their naval forces and why they prefer ad hoc or on-call operations. As a result of this tendency and consequently the lack of political support and consensus, the final product is UN's insufficient capacity to manage military operations. In such a situation, it is too hard to create a standing maritime force under the control of the UN in the current international affairs.

I.   THE US LEADERSHIP, THE UN AND NATO

The United States, as the only global power, must lead. Europe - as individual states or as a collective - cannot. China, Russia, India, Brazil, and Japan are important regional powers, but only the United States can lead on the full range of political, diplomatic, economic, and military issues confronting the world.[116] This is a reality. In the Bosnian conflict, for example, the West remained paralyzed until the United States wrested control of the diplomatic process.

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[114] Urquhart, p.33.

[115] Ibid., p. 33.

[116] Bob Dole, "Shaping America's Global Future," *Foreign Policy* no.98, New York; 1995, p.35,36.

In this sense, the US leadership is crucial for collective security. And it is well-known fact that the US supports the UN, as a international organization, and NATO, as a regional organization, in terms of international peace and security. Here are some excerpts:

> As the UN marks its 50th year, we are determined to help remake the way the UN works: more effectively, and in keeping with its strengths and limitations. We will not sacrifice American sovereignty, but neither will we heed calls to destroy an institution that serves our interests and the interests of peoples everywhere in building a more peaceful and prosperous world. With our leadership, the UN is streamlining and modernizing peacekeeping operations and has established an independent inspector general. But much more needs to be done. We are using our permanent seat on the UN Security Council and bringing our considerable weight to bear to make sure that the UN more effectively responds to crises in a manner consistent with US interests.[117]

> In the last two years, we have made considerable progress in adapting the institutions of European security to extent stability to a free, undivided, and democratic Europe. At NATO's summit in January 1994, President Clinton proposed, and NATO approved, the Partnership for Peace (PfP) the first security partnership that can encompass all the nations of the continent.... We will continue to expand the Partnership's joint exercise program in 1995. Finally, the Partnership is the best path to NATO membership for those willing and able to make the necessary commitments. The NATO alliance will remain the anchor of American engagement in Europe and the linchpin of transatlantic security. That is why we must keep it strong, vital, and relevant.[118]

The United States, as a global power, declares its willingness to promote international peace and security. At this point, a question raises: how does the US support these organizations or what is the importance given these organizations?

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[117] Warren Christopher, "America's Leadership, America's Opportunity," *Foreign Policy* no.98, New York; 1995, p.14.

[118] Ibid., p. 18,19.

Before answering this question, it is worthwhile to mention about what NATO is and how it works. And what is the present picture which reflects the positions of the UN and NATO.

The North Atlantic Treaty of April 1949 brought into being an Alliance of independent countries with a common interest in maintaining peace and defending their freedom through political solidarity and adequate military defense to deter and, if necessary, repel all possible forms of aggression against them. Created within the framework of Article 51 of the UN Charter, which reaffirms the inherent right of individual or collective defense, the Alliance is an organization of free states united in their determination to preserve their security through mutual guarantees and stable relations with other countries.[119]

The North Atlantic Council (NAC) has effective political authority and powers of decision and consists of Permanent Representatives of all member countries meeting together at least once a week. The Council also meets at higher levels involving Foreign Ministers or Heads of Government but it has the same authority and powers of decision-making, and its decisions have the same status and validity, at whatever level it meets. All 16 member countries of NATO have an equal right to express their views round the Council table. Decisions are the expression of the collective will of member governments arrived at by common consent. All member governments are party to the policies formulated in the Council or under its authority and to the consensus on which decisions are based.[120]

It is obvious that both the UN and NATO have very similar purposes and principles with the exception of the decision-making process. If we look at the present situation in these organizations, we can develop an interesting picture.

NATO, as a regional organization, includes three permanent of the Security Council; the United Kingdom, United States and France. If NATO were to expand to include Russia, it would then include all permanent members of the UN except China. The structure created within NATO, with the US leadership, enable member countries to coordinate their policies

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[119] *NATO Handbook*, Brussels; NATO Office and Information and Press, 1995, p.17.

[120] Ibid., p. 93,94.

in order to fulfill organization's complementary tasks. They provide for continuous consultation and cooperation in political, economic and other non-military fields as well as the formulation of joint plans for the common defense; the establishment of the infrastructure needed to enable military forces to operate; and arrangements for joint training programmes and exercises. Underpinning these activities is a complex civilian and military structure involving administrative, budgetary and planning staffs. Moreover, NATO has its standing military forces including Army, Naval and air assets, and with its 16 members, and NATO is able to support and finance these forces.

On the other hand, the United Nations, as an international organization and as a unique global collective security organization, has 186 member states including all members of NATO, but the UN does not have a developed civilian and military structure similar to NATO's. Furthermore, the UN does not have standing military forces. Some claim that the UN does not have such forces because of scant financial resources. It my be asked why the UN - with its 186 members including all NATO members - could not support such forces. Maybe, it is reasonable to say that the UN could not be strengthened in terms of its organization and structure because of its passive position during the Cold War. This situation is a result of political perceptions but not economic issues.

The United States, as a hegemon, is likely to see considerable advantages in ad hoc or on-call forces where it might exercise a controlling influence. By devolving command and control to an international organization, the United States would yield this hegemony. The United States is not averse to chopping operational control to trusted allies and has occasionally seconded units to peacekeeping operations under the operational or tactical control of a foreign commander. But ceding national command of components is another matter. Although US Naval Forces have been placed under NATO operational control as a matter of routine, both major NATO commanders to whom they have been assigned are American: SACLANT (Supreme Allied Commander Atlantic) and SACEUR (Supreme Allied Commander Europe).[121]

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[121] Ginifer, p.107.

Firstly, this perception may explain why NATO has its own standing forces and why the UN does not. That is why the United States advocates the Combined and Joint Task Forces (CJTF). It can be said that the United States is not alone in this perception. Regional hegemons, such as China and India, are likely to resist standing forces in case they pave the way for external intervention in their spheres of influence.

Secondly, If a UN standing multinational maritime force will be established, which countries will contribute to that? Most probably, this creation will be realized by several countries which have already participated in the current operations. These countries are, generally, NATO members. In terms of the establishment a standing multinational maritime force, these states are likely to prefer NATO rather than the UN because of NATO's civilian and military structure involving administration, budgetary and planning staff. And they have already done it. It is unrealistic to expect from this countries to contribute to a second standing multinational maritime force.

At the moment, the UN has no command structure of its own, and it has customarily chosen a force commander from a country and put the entire operation in his hands. With staff officers from many countries who have never met, and troops who have never trained together, the potential for trouble in combat is great, which makes NATO a prime candidate to command future operations.

IV. CONCLUSION

A. OVERVIEW

The end of the Cold War has offered the world an opportunity for more effective cooperation to prevent or remove all disputes, which threaten the international peace and security, and to promote economic and social welfare in friendly relations between the nations. The change in superpower relations and the responsible position taken by the Russia have allowed the United Nations to become increasingly active in collective security issues. For example, in just six years, 1988-1993, the United Nations created eighteen new peacekeeping operations, compared with a total of thirteen in its first forty-three years. Five peacekeeping operations were established during 1988 and 1989 alone, and, in 1991 and 1992, the UN Security Council created another nine operations. In October 1993, there were seventeen active UN missions, compared to only five in 1987. Sixteen are still active in the summer of 1996. It is quite clear that the United Nations has and will probably continue to have an increasing role in security issues.

At the same time, the impact of increasingly intensive use of the seas, pressure on the ecological balance, humanitarian issues, and threats to the maritime security has compelled and still compels the nations to cooperate with each other, and collectively, regulate and direct the maritime activities. As mentioned in Chapter II, many nations, especially the Western countries, recognize the importance of common maritime security embracing environmental, social and economic factors as well as the more traditional naval elements, and they have indicated their willingness to the multinational maritime cooperation.

The potential emergence of a responsible security mechanism in the UN Security Council and the multinational cooperation desire of the states have raised the expectation that the UN might become an appropriate institutional mechanism for maritime cooperation. Consequently, this expectation has engendered two vital requisites. First, if the UN is to become an effective mechanism for enhancing international maritime security as well as

international peace and security, a coherent maritime conceptual framework must be articulated. Secondly, such a mechanism must be able to deploy maritime forces whenever and wherever they are required.

As a result of these developments, the idea of the establishment of a UN standing maritime force has been proposed as an important possible contributor to promote and support international maritime security and stability. The UN Charter itself has no obstacle to the establishment of a standing military force and an advisory Military Staff Committee. Article 43 and 47 provide that,

> "All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including the rights of passage, necessary for the purpose of maintaining international peace and security."

and,

> "There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament. ... The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees."

The UN has 185 member states to provide military or financial contributions. To date, the member states have been unwilling to provide the necessary resources for the UN to conduct operations with full effectiveness. No UN standing maritime force has ever been created, the Military Staff Committee has been ineffectual, and any regional subcommittee has never been established.

B. FINDINGS

This thesis has posed a central question: whether it is possible to establish a UN standing maritime force in the foreseeable future, and whether there are political problems obstacle to such a development in the United Nations context.

In answer to this question, the establishment of a UN standing maritime force faces a huge array of political problems. First, in the political literature Purposes and Principles of the UN Charter has been frequently criticized since they have been found too idealistic to be realized. Despite the common criticism of the Charter's Purposes and Principles, any general conference for the purpose of reviewing the present Charter has never been called while even the Charter has permitted such a revision. (Articles 108 and 109). If the Charter's Purposes and Principles are not reasonable for the present international system, why are not they revised? If these Purpose and Principles are fully adequate for collective security, why are not they taken into account in real life? The problem is not the context of those purposes and principles, but the unwillingness of member states to accept the responsibilities which are emanated from the Charter. This situation is an essential reason for the absence of political support, consequently political consensus, of the UN's member states for an effective UN.

The second source of political problems affecting the creation of a UN standing maritime force is collective security perception. While the collapse of communism has eliminated the major global clash of values, it has had an opposite effect on other nationalist, tribal, religious, economic, and ethnic conflicts that have been there for some time and may even reenergize North-South economic discord. The conflict between civilizations a major obstacle to the collective security in practice. In addition to the clash of civilizations, it is a reality that sovereign states have different as well as mutual interests. Collective Security, which is the one of the sovereign states' mutual interests, succumbs to the lure of their unilateral interests. All governments take their decisions in the name of national interest and than explain them in terms of self-sacrificing altruism. This approach plays a great role in the failure of collective security in terms of timing and contribution. Nations' different priorities on timing and contribution makes impossible the emergence of a continuous and

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sufficient framework, which must include political and financial support, necessary for the creation of a UN standing maritime force.

Without the commonly accepted framework of collective security, and the classification of threats to international peace within the UN Charter context; how can one limit and define that what is the boarder of national sovereignty and what is the border or dimension of collective action? And how can one prevent the exploitation of the differences and contradictions of the existing civilizations?

Without establishing a framework which answers to these questions mentioned above; how can one define the UN naval missions and the context of these missions? And how can one provide and promote the multinational cooperation for collective security? Finally how can one define the authority in a UN naval operation and its limits?

In the present atmosphere of the international relations, it is too hard to find adequate and complete answers to these questions.

The third political problem stems from a common misperception about the UN's authority and responsibility. The UN's ability to act depends on the minimal consensus in the Security Council. According to Article 27 of the Charter: "Decisions of the Security Council ... shall be made by an affirmative vote of nine members including the concurring votes of the permanent members." In the absence of this consensus, the UN lacks authority to act, Without authority, how can an organization fulfill its responsibilities? The answer is 'no way'. On the other hand, international peace comes from international stability which is engendered by the consensus between the major powers. In this sense, it can be said that the UN will never help to solve each international security problem, especially in a case which is inimical to any major power's interests. If the UN will not intervene each international security problem, is it feasible and reasonable to maintain a standing multinational maritime force within the UN organization? In such a case, sovereign states will probably be reluctant to contribute UN operations and to establish a UN standing multinational maritime force.

The fourth political problem is today's debate over definitions, such as peacekeeping and peace enforcement, left over from the Cold War era. In essence, these were a kind of

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formulation of the use of force according to the "rules" of the Cold War. In accordance with the UN Charter, if there is any military involvement or any economic measures determined by the Security Council, these means that Chapter VII is in process, not Chapter VI. In order to provide and promote international peace and security, Chapter VI just points what should be done firstly, not the use of force, but the pacific settlement of disputes. As a legacy of the Cold War, peacekeeping operations are determined under Chapter VI. This traditional peacekeeping perception - consent of disputing parties, light armament, and self defense - causes the emergence of hesitations in terms of the assignment of national contingents because of the risky operation. If we must create a distinction between operations, such like peacekeeping and peace enforcement, this distinction should be done on the objectives, directives and procedures - a clear mandate - for each operation, but not on force size and composition or on the terms defined politically. Given the vital importance of Rules of Engagement in multinational maritime operations, a clear mandate must also include the determination and application of the ROEs. In the aftermath of the Cold War, most Western societies have begun to reduce the size of their military inventories. Consequently, their naval units have become more valuable for national requirements than they had in the past. In the absence of an adequate conceptual basis for UN maritime peace and security initiatives, and consequently without widely accepted and acknowledged ROEs, the member states of the UN will probably continue to be reluctant to assign their naval units to a UN standing multinational maritime force because nations do not want to put their valuable units at stake.

The fifth source of political problems is the membership issue. Membership in the United Nations seeks for three fundamental features: being a peace-loving sovereign state, accepting the obligations of the Charter, and being able to carry out these obligations. If all of the members of the UN had to match this description, how many members could there be in the UN? All nations in the world are the members of the UN. It is well-known issue that even the supporters of international terrorism are still the members of the UN. If an organization is not able to protect its own respect by doing what its Charter says, how will

it provide international peace and security, and build confidence? This issue, to disregard its own principal rules, undermines the credibility and long-term legitimacy of the UN.

The sixth political problem stems from the structure of the Security Council and the veto right of each permanent member. If we are now accepting the multi polarity as a prevailing system of international relations, the permanent part of the Security Council's structure must include the real major players of the multipolar order. Otherwise, the UN will be doomed to be inactive or ineffective like what it was in the Cold War era because of the relation between stability and peace. The real major players of the system are likely to seek for solutions by excluding the UN if one or some of them are not included among the permanent members or if any nation, which is not a major power, is a permanent member of the Security Council.

The seventh political problem is the absence of the UN's capacity to manage collective security operations. The UN machinery has no experience in directing and conducting military operations and it does not have any conceptual basis for maritime peace and security issues. . This situation is another legacy of the Cold War. In terms of the collective maritime security, the conceptual basis has a vital importance for the creation of a UN standing multinational maritime force. Undoubtedly, it is implausible to establish such a standing maritime force before defining its possible missions and the limitations of these missions. As a result of this situation, the member states of the UN are reluctant to transfer control of their valuable naval forces and they prefer to establish ad hoc coalition force, if it is required, instead of standing force within the UN structure.

The eighth political problem comes from the US' posture through the UN and NATO. The US, as a real major power, supports the both of these organizations in order to enhance its national interests. To the US, the UN is important because it gives legitimacy to the US activities including the use of force in the name of international peace and security or support for democratic movements. NATO is also important because it provides the opportunity to the US to engage in Europe and it reflects a powerful military structure under the US leadership.

The change in superpower relations has allowed the US to see the UN as an instrument of global foreign and security policy. It is an instrument to be used in dialogue. The UN is not a war fighting organization. It may just authorize the use of multinational military forces since the Security Council is the ultimate source of legitimacy for any multinational military operation.

On the other hand, NATO is, simply, a military alliance in which the US has a major role in influencing its decisions and activities. And already, NATO is the most powerful regional organization in the world. If the ongoing process of the NATO expansion is achieved, it will become a kind of global organization. Moreover, with the commitments of new participants, NATO's military assets will become a kind of the world force.

If a UN standing multinational maritime force were to be established, which countries contribute? Most probably, this creation will be realized by several countries which have already participated in the current operations. These countries are, generally, NATO members. In terms of the establishment a standing multinational maritime force, these states are likely to prefer NATO rather than the UN because of NATO's civilian and military structure involving administration, budgetary and planning staff. And they have already done it. It is unrealistic to expect from this countries to contribute to a second standing multinational maritime force. In this sense, it can be said that the UN will authorize, and then NATO will direct future operations.

The establishment of a UN standing maritime force faces these main political problems which have been driven from the conflict between civilizations, the notion of nation-state, major power interests, differences in the use of force perceptions and NATO expansion. These roots of the existing political problems still continue and as a result of these situation, political support - and consequently political consensus - for collective security cited in the UN Charter has never been concluded. Notwithstanding the Western countries display their willingness for international maritime cooperation, a continuous and sufficient framework accepted by the world community has not been formed because of the absence of the political consensus.

The world is now living in a period of history that can be defined as transition to new world order. There are new players, new capabilities, new alignments, and new threats, but so far, no new rules. Consequently, the situation of uncertainty affects the international affairs. Under this conditions, the solution of existing political problems would not be achieved in the foreseeable future. As a historical evident, the creation such a force within the UN organization seem to be impossible unless these problems are solved. As a result of this picture, the establishment of a UN standing maritime force seems to be a dream foreseeable only in the distant future.

C.   RECOMMENDATIONS

This thesis states that the solution of existing political problems will not be achieved in the foreseeable future, but they are not unsolvable. Most of them are time-dependant problems, such as the conflict between civilizations, and differences in the concept of the use of force. Most likely, these problems will be automatically solved in the course of time.

Indeed, it is implausible to wait for the solutions. The world community must do something rather than waiting until the humankind has suffered. In order to reduce the amount of unpleasant events or suffering conflicts, the solutions of problems may be quickened by the international or regional organizations, and major powers.

In the future, the role of maritime activities will be crucial. It is inevitable to avoid from multinational maritime cooperation in the word which is covered by seas some 70 per cent of it. It is worthful to remind 1985 UN study:

> With greater interest in the exploitation of marine resources and the introduction of the exclusive economic zone, the number of offshore and other commercial activities will continue to increase ... [and] the growing complexity of offshore activities will call for much improved national and international management arrangements if marine resources are to be exploited in a rational and orderly manner to the benefit of mankind. ... New resources, new developments, new responsibilities - all will demand more coordinated maritime policies, administrative machinery, and policing capabilities

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The previous analysis of the possible UN maritime missions and multinational maritime force structures, and political problems that complicate the creation of a UN standing maritime force lead to nine recommendations. They present choices for decision makers regarding future UN activities in the maritime domain.

1. The Bringing Article 47 to Life

The permanent members must provide political support for full accomplishment of the Article 47. It is unrealistic to believe that a permanent member appears to fear that giving access to military decision-making to other permanent members would lead to indecision or may even be used to block UN operations or against itself, because the MSC is a advisory suborgan under the Security Council.

a. The Military Staff Committee

According to Article 47 (1) and (3), the Military Staff Committee is responsible to advise and assist the Security Council on all questions relating to the military requirements for the maintenance of international peace and security, the employment and command of forces, the regulation of armaments, and possible disarmament, and it is also responsible, under the Security Council, for the strategic direction of any armed forces placed at the disposal of the Security Council. All of these responsibilities requires qualified officers' team which are well-trained, experienced, and well-equipped, and such a staff must include naval representation.

This requirement is crucial in terms of the preparation of a clear mandate for any military operation and resolutions relating to the military sanctions. Moreover, it is important further resolutions of the Security Council in accordance with the operations' course of events. If the SC wants to make adequate decisions and take right resolutions, it must have a clear and complete strategical and tactical picture. Undoubtly, such a picture can be prepared by an effective and high capable MSC. Especially in maritime operations, these requirements have a vital role in terms of the providing clear mission objectives, the control of escalation- the political control of the maritime assets- and reducing risk -ROE. The permanent members which are responsible for the establishment of the MSC must assign their qualified personnel to the MSC and equip them with whatever they need.

permanent members which are responsible for the establishment of the MSC must assign their qualified personnel to the MSC and equip them with whatever they need.

If it is established, a powerful MSC may serve for these objectives:

- The resolutions taken timely and adequately are likely to increase in credibility of the Security Council, and the image of double standards is likely to be erased.

- Fair and clear mandate or mandates prepared collectively are likely to increase in the contributions of the member states.

- The works and experiences of the MSC are likely to form a continuous and adequate conceptual framework for collective security.

- Rapid and appropriate response to the threats is likely to compel nations to solve their disputes with pacific settlements.

b.   The Utilizing Existing Regional Organizations

According to the Article 47 (4), the MSC, with the authorization of the Security Council and after the consultation with appropriate regional agencies, may establish regional subcommittees. In this sense, as a beginning, the Security Council must realize a special agreement with NATO for the purpose of the creation of a Euro-Atlantic Subcommittee.

Such a development will, most probably, serve for these objectives:

- With a Euro-Atlantic Subcommittee, the advising and assisting capacity of the MSC will become an organ adequate to cope with many conflict in that region at a time.

- Such a development will compel the members of other regional organizations or agencies to configure their own defense alliances in order to become a subcommittee of the MSC.

If these two expectations works, they may provide these objectives:

- It will moderate the relations between different civilizations,

- It will weaken the strength of the notion of Nation-State,

- It will satisfy the nations and strengthen the cooperative opinions in terms of the collective security.

- It will realize the emergence of regional standing maritime forces as a part of their defense alliances such as NATO's standing naval forces.

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and facilities in order to '*contribute*' to the action taken by the Security Council. In the absence of Article 43 special agreements, the Security Council will be deprived of the authority to fulfill its main responsibility, Maybe, this situation was a rational choice during the Cold War period, but not now.

From the view of Nation-State notion, such a development is unacceptable. Indeed, this is not a terrible issue, because special agreement means that the Security Council will accept and pay attention to the stipulations of a sovereign state. It does not mean that it is to lost the control of national contingents committed to the Security Council.

The Security Council must realize Article 43 special agreements with its member states and regional organizations. For example, special agreements with the permanent members, NATO, and new major players, such as Germany and Japan, may engender an incitive and creative beginning. Such a development may serve for these objectives:

- It will provide the application of the graduated pattern of collective security.[122]

- It will weaken the belief of any major power hegemony under the name of the collective security,

- It will prevent the abuse of the use of force.

- It will compel the nations to contribute to the requirements necessary to the maintaining international peace and security in order to become who has a say,

- It will prevent the possible rivalry between the UN and NATO in terms of who direct the collective military operation.

- With utilizing from the NATO's experiences and its procedures, it will provide or help to establish an adequate doctrinal and procedural basis for the UN maritime operations.

- It will provide available naval assets to the Security Council to show rapid reactions to each event which threaten or would threaten the international peace and security at the times of peace and crises.

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[122] The graduated pattern of enforcement is set out in Chapter VII. The first step is a determination of a breach of the peace. (Article 39). The second step requires nonmilitary sanctions such as economic measures. (Article 41). The third step requires The Security Council to take actions by air, sea, and land forces. (Article 42).

3. The Reconstruction of the UN Security Council

a. Permanent Members

Again, as it defined in chapter one, *Major Powers* are sovereign states which are able, individually or by virtue of their strategic positions in powerful international or regional organizations, to affect international political outcomes regularly and substantially. In this sense, it is undeniable that Japan and Germany are new major powers in addition to the existing permanent members of the UN Security Council. Japan and Germany should be made permanent members. It is time for reorganization of the UN Security Council to bring it into keeping with contemporary realities.

b. Non-Permanent Members

Article 23 of the UN Charter provides that the General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution. The UN should define regions which are to be had their General Assembly as a sub-unit of the UN General Assembly. Each regional general assembly should elect its representative as a non-permanent member of the UN Security Council. This regions may be Europe, Central Asia, South Asia, Middle East, Latin America, Pacific, North Africa and South Africa. In this way, each region or each civilization can take its place in the collective security mechanism.

4. Purposes and Principles

The purposes and principles of the UN Charter represent the essential statement of the philosophy of the UN. In order to prevent nations' day-by-day interpretation of these norms, this philosophy requires to be supported by a complementary strategic concept which should be done by the Security Council with the approval of the General Assembly. Such a strategic concept may underline the need for collective security to take account of the global context. It may point out threat assessment and risks of a wider nature, including proliferation of

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weapons of mass destruction, disruption of the flow of vital resources - especially resources of the seas - and act of terrorism, sabotage and piracy which can affect collective security interests. And, once it is created, the strategic concept of the UN should develop periodically in accordance with contemporary world requirements.

5. Collective Security

In the post-Cold War era, the struggle between civilizations and the notion of the Nation-State are main obstacles to the collective security. These issues have been exploited for years and they are still being exploited. The UN mechanism should define a conceptual framework which includes the definitions of collective security, international peace and security, and the classification of threats to international peace. Such a commonly accepted framework may not remove these problems, but at least it may provide a remarkable reduce in them.

6. Authority and Responsibility

This issue is one legacy of the Cold War competition. With the end of the Cold War, the UN's ability to act still depends on more effective and creative cooperation among the major powers about the basis of international security, and the post-Cold War era provides a good environment for it. Such a cooperation may let the UN to be more effective. The major powers should do it. Otherwise, the absence of authority to act - in other words, the absence of the minimal consensus in the Security Council- will continue to be a disgraceful choice for the UN and collective security.

7. Peacekeeping and Peace Enforcement

As pointed out in Chapter VII of the UN Charter, the right of the use of force is given to the Security Council with the exception of self-defense. In accordance with Article 51, even the self-defense has been limited until the Security Council has taken the measures necessary to maintain international peace and security. In this sense, the definition of and the classification of peace and security operations should be redefined under Chapter VII. The Security Council should leave the dance with traditional habits and it should use its authority provided by the Charter.

The establishment of a UN strategic concept, mentioned in the recommendation pertain to the Purposes and Principles, may indicate the essential direction for the redefinition of peace and security operations. Such a development may provide a clear and complete philosophy in order to prepare a conceptual framework for possible missions, procedures, doctrine, and ROEs. Moreover, a commonly accepted framework may remove or reduce remarkably the leaders' unwillingness to invest their political future in risky, controversial international interventions with uncertain outcomes.

8. Membership

Procedures are provided in Article 4 for the membership to the UN. Procedures are also provided in Article 5 for the temporary suspension or expulsion of member states following recommendations of the Security Council and action by the General Assembly. It is historicall evident that Article 4 procedures have been concluded for every state, but Article 5 procedures have never been concluded for any state. The UN, both of the Security Council and the General Assembly, should pay attention to the prerequisites of the membership. The supporters of international terrorism, such as Iran, Syria, and Libya, should not be allowed to keep their seats in the General Assembly. Additionally, the UN mechanism should provide procedures for temporary suspension or expulsion of any permanent member which violates the UN Charter. Such a development shows that at least, the UN is not a major powers' club.

9. Decision-Making

The third recommendation, the reconstruction of the UN Security Council, seeks for a solution which will provide wider political representation for the collective security. In addition to the reorganization of the Security Council, the voting process should be developed.

For example, qualified majority approach may gain a new mean in which ten votes are required for approval, including affirmative votes or abstentions by all permanent members. The logic of this approach rests on two points. First, international stability requires a continuous and harmonious relations between the major powers. It means that each of them should have the veto right to prevent any decision which is inimical to its perception. Second, each region has normally three neighbor regions. If a conflict occurs within any

region, it is likely to affect three neighbor regions. In addition to seven votes of permanent members, three votes of non-permanent members are required for a decision of act.

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